

1       **\*-0030/1.76\* SECTION 1469.** 50.01 (6h) of the statutes is created to read:

2       50.01 (6h) “Secretary” means the secretary of health and family services.

3       **\*-0030/1.77\* SECTION 1470.** 50.02 (2) (d) of the statutes is created to read:

4       50.02 (2) (d) The department shall promulgate rules that prescribe the time  
5 periods and the methods of providing information specified in ss. 50.033 (2r) and (2s),  
6 50.034 (5m) and (5n), 50.035 (4m) and (4n) and 50.04 (2g) (a) and (2h) (a).

7       **\*-1098/3.24\* SECTION 1471.** 50.03 (13) (a) of the statutes is amended to read:

8       50.03 (13) (a) *New license.* Whenever ownership of a facility is transferred from  
9 the person or persons named in the license to any other person or persons, the  
10 transferee must obtain a new license. The license may be a probationary license.  
11 Penalties under sub. (1) shall apply to violations of this subsection. The transferee  
12 shall notify the department of the transfer, file an application under sub. (3) (b) and  
13 apply for a new license at least 30 days prior to final transfer. Retention of any  
14 interest required to be disclosed under sub. (3) (b) after transfer by any person who  
15 held such an interest prior to transfer may constitute grounds for denial of a license  
16 where violations of this subchapter for which notice had been given to the transferor  
17 are outstanding and uncorrected, if the department determines that effective control  
18 over operation of the facility has not been transferred. If the transferor was a  
19 provider under s. 49.43 (10), the transferee and transferor shall comply with s. 49.45  
20 (21).

21       **\*-0321/6.2\* SECTION 1472.** 50.033 (2) of the statutes is amended to read:

22       50.033 (2) REGULATION. Standards for operation of licensed adult family homes  
23 and procedures for application for licensure, monitoring, inspection, revocation and  
24 appeal of revocation under this section shall be under rules promulgated by the  
25 department under s. 50.02 (2) (am) 2. An adult family home licensure is valid until

1     revoked under this section. Licensure is not transferable. The biennial licensure fee  
2     for a licensed adult family home is ~~\$75~~ \$142.50. The fee is payable to the county  
3     department under s. 46.215, 46.22, 46.23, 51.42 or 51.437, if the county department  
4     licenses the adult family home under sub. (1m)(b), and is payable to the department,  
5     on a schedule determined by the department if the department licenses the adult  
6     family home under sub. (1m)(b).

7           **\*-0030/1.78\* SECTION 1473.** 50.033 (2r) of the statutes is created to read:

8           50.033 (2r) PROVISION OF INFORMATION REQUIRED. Subject to sub. (2t), an adult  
9     family home shall, within the time period after inquiry by a prospective resident that  
10    is prescribed by the department by rule, inform the prospective resident of the  
11    services of a resource center under s. 46.283, the family care benefit under s. 46.286  
12    and the availability of a functional and financial screen to determine the prospective  
13    resident's eligibility for the family care benefit under s. 46.286 (1).

14           **\*-0030/1.79\* SECTION 1474.** 50.033 (2s) of the statutes is created to read:

15           50.033 (2s) REQUIRED REFERRAL. Subject to sub. (2t), an adult family home shall,  
16    within the time period prescribed by the department by rule, refer to a resource  
17    center under s. 46.283 a person who is seeking admission, who is at least 65 years  
18    of age or has a physical disability and whose disability or condition is expected to last  
19    at least 90 days, unless any of the following applies:

20           (a) The person has received a screen for functional eligibility under s. 46.286  
21    (1) (a) within the previous 6 months.

22           (b) The person is entering the adult family home only for respite care.

23           (c) The person is an enrollee of a care management organization.

24           **\*-0030/1.80\* SECTION 1475.** 50.033 (2t) of the statutes is created to read:

1           50.033 (2t) APPLICABILITY. Subsections (2r) and (2s) apply only if the secretary  
2           has certified under s. 46.281 (3) that a resource center is available for the adult family  
3           home and for specified groups of eligible individuals that include those persons  
4           seeking admission to or the residents of the adult family home.

5           \***-0030/1.81\* SECTION 1476.** 50.034 (5m) of the statutes is created to read:

6           50.034 (5m) PROVISION OF INFORMATION REQUIRED. Subject to sub. (5p), a  
7           residential care apartment complex shall, within the time period after inquiry by a  
8           prospective resident that is prescribed by the department by rule, inform the  
9           prospective resident of the services of a resource center under s. 46.283, the family  
10          care benefit under s. 46.286 and the availability of a functional and financial screen  
11          to determine the prospective resident's eligibility for the family care benefit under  
12          s. 46.286 (1).

13          \***-0030/1.82\* SECTION 1477.** 50.034 (5n) of the statutes is created to read:

14          50.034 (5n) REQUIRED REFERRAL. Subject to sub. (5p), a residential care  
15          apartment complex shall, within the time period prescribed by the department by  
16          rule, refer to a resource center under s. 46.283 a person who is seeking admission,  
17          who is at least 65 years of age or has a physical disability and whose disability or  
18          condition is expected to last at least 90 days, unless any of the following applies:

19               (a) The person has received a screen for functional eligibility under s. 46.286  
20               (1) (a) within the previous 6 months.

21               (b) The person is entering the residential care apartment complex only for  
22               respite care.

23               (c) The person is an enrollee of a care management organization.

24          \***-0030/1.83\* SECTION 1478.** 50.034 (5p) of the statutes is created to read:

1           50.034 (5p) APPLICABILITY. Subsections (5m) and (5n) apply only if the secretary  
2           has certified under s. 46.281 (3) that a resource center is available for the residential  
3           care apartment complex and for specified groups of eligible individuals that include  
4           those person seeking admission to or the residents of the residential care apartment  
5           complex.

6           \*~~0030/1.84~~\* SECTION 1479. 50.034 (8) of the statutes is created to read:

7           50.034 (8) FORFEITURES. (a) Whoever violates sub. (5m) or (5n) or rules  
8           promulgated under sub. (5m) or (5n) may be required to forfeit not more than \$500  
9           for each violation.

10          (b) The department may directly assess forfeitures provided for under par. (a).  
11          If the department determines that a forfeiture should be assessed for a particular  
12          violation, it shall send a notice of assessment to the residential care apartment  
13          complex. The notice shall specify the amount of the forfeiture assessed, the violation  
14          and the statute or rule alleged to have been violated, and shall inform the residential  
15          care apartment complex of the right to a hearing under par. (c).

16          (c) A residential care apartment complex may contest an assessment of a  
17          forfeiture by sending, within 10 days after receipt of notice under par. (b), a written  
18          request for a hearing under s. 227.44 to the division of hearings and appeals created  
19          under s. 15.103 (1). The administrator of the division may designate a hearing  
20          examiner to preside over the case and recommend a decision to the administrator  
21          under s. 227.46. The decision of the administrator of the division shall be the final  
22          administrative decision. The division shall commence the hearing within 30 days  
23          after receipt of the request for a hearing and shall issue a final decision within 15  
24          days after the close of the hearing. Proceedings before the division are governed by  
25          ch. 227. In any petition for judicial review of a decision by the division, the party,

1 other than the petitioner, who was in the proceeding before the division shall be the  
2 named respondent.

3 (d) All forfeitures shall be paid to the department within 10 days after receipt  
4 of notice of assessment or, if the forfeiture is contested under par. (c), within 10 days  
5 after receipt of the final decision after exhaustion of administrative review, unless  
6 the final decision is appealed and the order is stayed by court order. The department  
7 shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

8 (e) The attorney general may bring an action in the name of the state to collect  
9 any forfeiture imposed under this section if the forfeiture has not been paid following  
10 the exhaustion of all administrative and judicial reviews. The only issue to be  
11 contested in any such action shall be whether the forfeiture has been paid.

12 **\*-0030/1.85\* SECTION 1480.** 50.035 (4m) of the statutes is created to read:

13 50.035 (4m) PROVISION OF INFORMATION REQUIRED. Subject to sub. (4p), a  
14 community-based residential facility shall, within the time period after inquiry by  
15 a prospective resident that is prescribed by the department by rule, inform the  
16 prospective resident of the services of a resource center under s. 46.283, the family  
17 care benefit under s. 46.286 and the availability of a functional and financial screen  
18 to determine the prospective resident's eligibility for the family care benefit under  
19 s. 46.286 (1).

20 **\*-0030/1.86\* SECTION 1481.** 50.035 (4n) of the statutes is created to read:

21 50.035 (4n) REQUIRED REFERRAL. Subject to sub. (4p), a community-based  
22 residential facility shall, within the time period prescribed by the department by  
23 rule, refer to a resource center under s. 46.283 a person who is seeking admission,  
24 who is at least 65 years of age or has a physical disability and whose disability or  
25 condition is expected to last at least 90 days, unless any of the following applies:

1 (a) The person has received a screen for functional eligibility under s. 46.286  
2 (1) (a) within the previous 6 months.

3 (b) The person is entering the community-based residential facility only for  
4 respite care.

5 (c) The person is an enrollee of a care management organization.

6 **\*-0030/1.87\* SECTION 1482.** 50.035 (4p) of the statutes is created to read:

7 50.035 (4p) APPLICABILITY. Subsections (4m) and (4n) apply only if the secretary  
8 has certified under s. 46.281 (3) that a resource center is available for the  
9 community-based residential facility and for specified groups of eligible individuals  
10 that include those persons seeking admission to or the residents of the  
11 community-based residential facility.

12 **\*-0327/1.4\* SECTION 1483.** 50.035 (7) (c) of the statutes is amended to read:

13 50.035 (7) (c) If the date estimated under par. (a) 2. is less than 24 months after  
14 the date of the individual's statement of financial condition, the community-based  
15 residential facility shall provide the statement to the county department under s.  
16 46.215 or 46.22 and shall refer the potential resident to the county department to  
17 determine whether an assessment under s. 46.27 (6) should be conducted.

18 **\*-0030/1.88\* SECTION 1484.** 50.035 (8) of the statutes is repealed.

19 **\*-0030/1.89\* SECTION 1485.** 50.035 (11) of the statutes is created to read:

20 50.035 (11) FORFEITURES. (a) Whoever violates sub. (4m) or (4n) or rules  
21 promulgated under sub. (4m) or (4n) may be required to forfeit not more than \$500  
22 for each violation.

23 (b) The department may directly assess forfeitures provided for under par. (a).  
24 If the department determines that a forfeiture should be assessed for a particular  
25 violation, it shall send a notice of assessment to the community-based residential

1 facility. The notice shall specify the amount of the forfeiture assessed, the violation  
2 and the statute or rule alleged to have been violated, and shall inform the licensee  
3 of the right to a hearing under par. (c).

4 (c) A community-based residential facility may contest an assessment of a  
5 forfeiture by sending, within 10 days after receipt of notice under par. (b), a written  
6 request for a hearing under s. 227.44 to the division of hearings and appeals created  
7 under s. 15.103 (1). The administrator of the division may designate a hearing  
8 examiner to preside over the case and recommend a decision to the administrator  
9 under s. 227.46. The decision of the administrator of the division shall be the final  
10 administrative decision. The division shall commence the hearing within 30 days  
11 after receipt of the request for a hearing and shall issue a final decision within 15  
12 days after the close of the hearing. Proceedings before the division are governed by  
13 ch. 227. In any petition for judicial review of a decision by the division, the party,  
14 other than the petitioner, who was in the proceeding before the division shall be the  
15 named respondent.

16 (d) All forfeitures shall be paid to the department within 10 days after receipt  
17 of notice of assessment or, if the forfeiture is contested under par. (c), within 10 days  
18 after receipt of the final decision after exhaustion of administrative review, unless  
19 the final decision is appealed and the order is stayed by court order. The department  
20 shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

21 (e) The attorney general may bring an action in the name of the state to collect  
22 any forfeiture imposed under this section if the forfeiture has not been paid following  
23 the exhaustion of all administrative and judicial reviews. The only issue to be  
24 contested in any such action shall be whether the forfeiture has been paid.

25 \***-0321/6.3\*** **SECTION 1486.** 50.037 (2) (a) of the statutes is amended to read:

1           50.037 (2) (a) The biennial fee for a community-based residential facility is  
2     ~~\$170~~ \$323, plus a biennial fee of ~~\$22~~ \$41.80 per resident, based on the number of  
3     residents that the facility is licensed to serve.

4           \***-0030/1.90\*** SECTION 1487. 50.04 (2g) of the statutes is created to read:

5           50.04 (2g) PROVISION OF INFORMATION REQUIRED. (a) Subject to sub. (2i), a  
6     nursing home shall, within the time period after inquiry by a prospective resident  
7     that is prescribed by the department by rule, inform the prospective resident of the  
8     services of a resource center under s. 46.283, the family care benefit under s. 46.286  
9     and the availability of a functional and financial screen to determine the prospective  
10    resident's eligibility for the family care benefit under s. 46.286 (1).

11          (b) Failure to comply with this subsection is a class "C" violation under sub. (4)

12   (b) 3.

13          \***-0030/1.91\*** SECTION 1488. 50.04 (2h) of the statutes is created to read:

14          50.04 (2h) REQUIRED REFERRAL. (a) Subject to sub. (2i), a nursing home shall,  
15    within the time period prescribed by the department by rule, refer to a resource  
16    center under s. 46.283 a person who is seeking admission, who is at least 65 years  
17    of age or has developmental disability or physical disability and whose disability or  
18    condition is expected to last at least 90 days, unless any of the following applies:

19          1. The person has received a screen for functional eligibility under s. 46.286 (1)

20    (a) within the previous 6 months.

21          2. The person is seeking admission to the nursing home only for respite care.

22          3. The person is an enrollee of a care management organization.

23          (b) Failure to comply with this subsection is a class "C" violation under sub. (4)

24   (b) 3.

25          \***-0030/1.92\*** SECTION 1489. 50.04 (2i) of the statutes is created to read:



1           50.04 (2i) APPLICABILITY. Subsections (2g) and (2h) apply only if the secretary  
2           has certified under s. 46.281 (3) that a resource center is available for the nursing  
3           home and for specified groups of eligible individuals that include those persons  
4           seeking admission to or the residents of the nursing home.

5           \*~~-0030/1.93~~\* SECTION 1490. 50.04 (2m) of the statutes is renumbered 50.04  
6           (2m) (a) and amended to read:

7           50.04 (2m) (a) ~~No~~ Except as provided in par. (b), no nursing home may admit  
8           any patient until a physician has completed a plan of care for the patient and the  
9           patient is assessed or the patient is exempt from or waives assessment under s. 46.27  
10          (6) (a) ~~or 46.271 (2m) (a) 2~~. Failure to comply with this subsection is a class "C"  
11          violation under sub. (4) (b) 3.

12          \*~~-0030/1.94~~\* SECTION 1491. 50.04 (2m) (b) of the statutes is created to read:

13          50.04 (2m) (b) Paragraph (a) does not apply to those residents for whom the  
14          secretary has certified under s. 46.281 (3) that a resource center is available.

15          \*~~-0030/1.95~~\* SECTION 1492. 50.06 (7) of the statutes is amended to read:

16          50.06 (7) (a) An individual who consents to an admission under this section  
17          may request that an assessment be conducted for the incapacitated individual under  
18          the long-term support community options program under s. 46.27 (6) or, if the  
19          secretary has certified under s. 46.281 (3) that a resource center is available for the  
20          individual, a functional and financial screen to determine eligibility for the family  
21          care benefit under s. 46.286 (1).

22          \*~~-1059/3.9~~\* SECTION 1493. 50.065 (2) (a) (intro.) of the statutes is amended to  
23          read:

24          50.065 (2) (a) (intro.) Notwithstanding s. 111.335, and except as provided in  
25          sub. (5), if the department knows or should know any of the following, the

## SECTION 1493

1 department may not license, certify, issue a certificate of approval to or register a  
2 person to operate an entity or continue the license, certification, certificate of  
3 approval or registration of a person to operate an entity ~~if the department knows or~~  
4 ~~should have known any of the following:~~

5 \***-1059/3.10\* SECTION 1494.** 50.065 (2) (ag) (intro.) of the statutes is amended  
6 to read:

7 50.065 (2) (ag) (intro.) Notwithstanding s. 111.335, and except as provided in  
8 sub. (5), if an entity knows or should know any of the following, the entity may not  
9 hire or contract with a person who will be under the entity's control, as defined by  
10 the department by rule, and who is expected to have access to its clients, or provide  
11 to clients of the entity direct care that is more intensive than negligible care in  
12 quantity or quality or in amount of time required to provide the care; or the entity  
13 may not permit to reside at the entity a person who is not a client and who is expected  
14 to have access to a client, if the entity knows or should have known any of the  
15 following:

16 \***-1059/3.11\* SECTION 1495.** 50.065 (2) (ag) (intro.) of the statutes, as affected  
17 by 1997 Wisconsin Act 27, section 2059f, and 1999 Wisconsin Act .... (this act), is  
18 repealed and recreated to read:

19 50.065 (2) (ag) (intro.) Notwithstanding s. 111.335, and except as provided in  
20 sub. (5), if an entity knows or should have known any of the following, the entity may  
21 not employ or contract with a person who will be under the entity's control, as defined  
22 by the department by rule, and who provides to clients of the entity, or is expected  
23 to provide to them, direct care that is more intensive than negligible care in quantity  
24 or quality or in the amount of time required to provide the care; or the entity may not

1 permit to reside at the entity a person who is not a client and who has, or is expected  
2 to have, access to a client:

3 **\*-1059/3.12\* SECTION 1496.** 50.065 (2) (b) 1. (intro.) of the statutes is amended  
4 to read:

5 50.065 (2) (b) 1. (intro.) Subject to subds. 1. e. ~~and 2.~~ and par. (bd), every entity  
6 shall obtain all of the following with respect to a person specified under par. (ag)  
7 (intro.) who is an employee or contractor or a prospective employee or contractor of the  
8 entity:

9 **\*-1059/3.13\* SECTION 1497.** 50.065 (2) (b) 2. of the statutes is repealed.

10 **\*-1059/3.14\* SECTION 1498.** 50.065 (6) (am) 1. of the statutes is amended to  
11 read:

12 50.065 (6) (am) 1. A person who is an employee, prospective employee, contractor  
13 or prospective contractor of the entity, who will be under the entity's control and who  
14 ~~has, or is expected to have, access to its clients, other than a person specified in sub.~~  
15 (2) (b) 2 provides to clients of the entity, or is expected to provide to them, direct care  
16 that is more intensive than negligible care in quantity or quality or in the amount  
17 of time required to provide the care.

18 **\*-0333/2.3\* SECTION 1499.** 50.065 (8) of the statutes is amended to read:

19 50.065 (8) The department may charge a fee for obtaining the information  
20 required under sub. (2) (am) or (3) (a). The fee or for providing information to an  
21 entity to enable the entity to comply with sub. (2) (b) 1. or (3) (b). The department  
22 may also charge a fee to a person who requests to demonstrate to the department  
23 under sub. (5) that he or she has been rehabilitated. Fees charged under this  
24 subsection may not exceed the reasonable cost of obtaining the information. No fee

1 may be charged to a nurse's assistant, as defined in s. 146.40 (1) (d), for obtaining or  
2 maintaining the information if to do so would be inconsistent with federal law.

3 **\*-0183/2.10\* SECTION 1500.** 50.135 (1) of the statutes is amended to read:

4 50.135 (1) DEFINITION. In this section, "inpatient health care facility" means  
5 any hospital, nursing home, county home, county mental hospital, ~~tuberculosis~~  
6 ~~sanatorium~~ or other place licensed or approved by the department under ss. 49.70,  
7 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, and 51.09, ~~58.06, 252.073 and 252.076~~, but  
8 does not include community-based residential facilities.

9 **\*-0028/7.66\* SECTION 1501.** 50.135 (2) (c) of the statutes is amended to read:

10 50.135 (2) (c) The fees collected under par. (a) shall be credited to the  
11 appropriations under s. 20.435 ~~(1)~~ (4) (gm) and (6) (jm) as specified in those  
12 appropriations for licensing, review and certifying activities.

13 **\*-0030/1.96\* SECTION 1502.** 50.36 (2) (c) of the statutes is created to read:

14 50.36 (2) (c) The department shall promulgate rules that require that a  
15 hospital, before discharging a patient who is aged 65 or older or who has  
16 developmental disability or physical disability and whose disability or condition  
17 requires long-term care that is expected to last at least 90 days, refer the patient to  
18 the resource center under s. 46.283. The rules shall specify that this requirement  
19 applies only if the secretary has certified under s. 46.281 (3) that a resource center  
20 is available for the hospital and for specified groups of eligible individuals that  
21 include persons seeking admission to or patients of the hospital.

22 **\*-0030/1.97\* SECTION 1503.** 50.38 of the statutes is created to read:

23 **50.38 Forfeitures.** (1) Whoever violates rules promulgated under s. 50.36 (2)  
24 (c) may be required to forfeit not more than \$500 for each violation.

1           (2) The department may directly assess forfeitures provided for under sub. (1).  
2     If the department determines that a forfeiture should be assessed for a particular  
3     violation, the department shall send a notice of assessment to the hospital. The  
4     notice shall specify the amount of the forfeiture assessed, the violation and the  
5     statute or rule alleged to have been violated, and shall inform the hospital of the right  
6     to a hearing under sub. (3).

7           (3) A hospital may contest an assessment of a forfeiture by sending, within 10  
8     days after receipt of notice under sub. (2), a written request for a hearing under s.  
9     227.44 to the division of hearings and appeals created under s. 15.103 (1). The  
10    administrator of the division may designate a hearing examiner to preside over the  
11    case and recommend a decision to the administrator under s. 227.46. The decision  
12    of the administrator of the division shall be the final administrative decision. The  
13    division shall commence the hearing within 30 days after receipt of the request for  
14    a hearing and shall issue a final decision within 15 days after the close of the hearing.  
15    Proceedings before the division are governed by ch. 227. In any petition for judicial  
16    review of a decision by the division, the party, other than the petitioner, who was in  
17    the proceeding before the division shall be the named respondent.

18           (4) All forfeitures shall be paid to the department within 10 days after receipt  
19    of notice of assessment or, if the forfeiture is contested under sub. (3), within 10 days  
20    after receipt of the final decision after exhaustion of administrative review, unless  
21    the final decision is appealed and the order is stayed by court order. The department  
22    shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

23           (5) The attorney general may bring an action in the name of the state to collect  
24    any forfeiture imposed under this section if the forfeiture has not been paid following

## SECTION 1503

1 the exhaustion of all administrative and judicial reviews. The only issue to be  
2 contested in any such action shall be whether the forfeiture has been paid.

3 **\*-0183/2.11\* SECTION 1504.** 50.39 (2) of the statutes is amended to read:

4 50.39 (2) The use of the title “hospital” to represent or identify any facility  
5 which does not meet the definition of a “hospital” as provided herein or is not subject  
6 to approval under ss. 50.32 to 50.39 is prohibited, except that institutions governed  
7 by ss. s. 51.09 and 252.073 are exempt.

8 **\*-0183/2.12\* SECTION 1505.** 50.39 (3) of the statutes is amended to read:

9 50.39 (3) Facilities governed by ss. 45.365, 48.62, 49.70, 49.72, 50.02, 51.09,  
10 ~~58.06, 252.073, 252.076~~ and 252.10, secured correctional facilities as defined in s.  
11 938.02 (15m), correctional institutions governed by the department of corrections  
12 under s. 301.02 and the offices and clinics of persons licensed to treat the sick under  
13 chs. 446, 447 and 448 are exempt from ss. 50.32 to 50.39. Sections 50.32 to 50.39 do  
14 not abridge the rights of the medical examining board, physical therapists affiliated  
15 credentialing board, podiatrists affiliated credentialing board, dentistry examining  
16 board, pharmacy examining board, chiropractic examining board and board of  
17 nursing in carrying out their statutory duties and responsibilities.

18 **\*-0026/1.1\* SECTION 1506.** 50.49 (2) (b) of the statutes is amended to read:

19 50.49 (2) (b) The department shall, by rule, set a license fee to be paid by home  
20 health agencies. ~~The fee shall be based on the annual net income, as determined by~~  
21 ~~the department, of a home health agency.~~

22 **\*-0030/1.98\* SECTION 1507.** 50.49 (4) of the statutes is amended to read:

23 50.49 (4) LICENSING, INSPECTION AND REGULATION. ~~The~~ Except as provided in sub.  
24 (6m), the department may register, license, inspect and regulate home health  
25 agencies as provided in this section. The department shall ensure, in its inspections

1 of home health agencies, that a sampling of records from private pay patients are  
2 reviewed. The department shall select the patients who shall receive home visits as  
3 a part of the inspection. Results of the inspections shall be made available to the  
4 public at each of the regional offices of the department.

5 **\*-0030/1.99\* SECTION 1508.** 50.49 (6m) of the statutes is created to read:

6 50.49 (6m) EXCEPTIONS. None of the following is required to be licensed as a  
7 home health agency under sub. (4), regardless of whether any of the following  
8 provides services that are similar to services provided by a home health agency:

9 (a) A care management organization, as defined in s. 46.2805 (1).

10 (b) A program specified in s. 46.2805 (1) (a).

11 (c) A demonstration program specified in s. 46.2805 (1) (b).

12 **\*-2105/1.24\* SECTION 1509.** 51.01 (14k) of the statutes is created to read:

13 51.01 (14k) "Secured child caring institution" has the meaning given in s.  
14 938.02 (15g).

15 **\*-2105/1.25\* SECTION 1510.** 51.01 (14m) of the statutes is created to read:

16 51.01 (14m) "Secured correctional facility" has the meaning given in s. 938.02  
17 (15m).

18 **\*-2105/1.26\* SECTION 1511.** 51.01 (14p) of the statutes is created to read:

19 51.01 (14p) "Secured group home" has the meaning given in s. 938.02 (15p).

20 **\*-0326/3.1\* SECTION 1512.** 51.03 (1) of the statutes is renumbered 51.03 (1r).

21 **\*-0326/3.2\* SECTION 1513.** 51.03 (1g) of the statutes is created to read:

22 51.03 (1g) In this section:

23 (a) "Early intervention" means action to hinder or alter a person's mental  
24 disorder or abuse of alcohol or other drugs in order to reduce the duration of early

1 symptoms or to reduce the duration or severity of mental illness or alcohol or other  
2 drug abuse that may result.

3 (b) "Individualized service planning" means a process under which a person  
4 with mental illness or who abuses alcohol or other drugs and, if a child, his or her  
5 family, receives information, education and skills to enable the person to participate  
6 mutually and creatively with his or her mental health or alcohol or other drug abuse  
7 service provider in identifying his or her personal goals and developing his or her  
8 assessment, crisis protocol, treatment and treatment plan. "Individualized service  
9 planning" is tailored to the person and is based on his or her strengths, abilities and  
10 needs.

11 (c) "Prevention" means action to reduce the instance, delay the onset or lessen  
12 the severity of mental disorder, before the disorders may progress to mental illness,  
13 by reducing risk factors for, enhancing protections against and promptly treating  
14 early warning signs of mental disorder.

15 (d) "Recovery" means the process of a person's growth and improvement,  
16 despite a history of mental illness or alcohol or other drug abuse, in attitudes,  
17 feelings, values, goals, skills and behavior and is measured by a decrease in  
18 dysfunctional symptoms and an increase in maintaining the person's highest level  
19 of health, wellness, stability, self-determination and self-sufficiency.

20 (e) "Stigma" means disqualification from social acceptance, derogation,  
21 marginalization and ostracism encountered by persons with mental illness or  
22 persons who abuse alcohol or other drugs as the result of societal negative attitudes,  
23 feelings, perceptions, representations and acts of discrimination.

24 **\*-0326/3.3\* SECTION 1514.** 51.03 (4) of the statutes is created to read:



1           51.03 (4) Within the limits of available state and federal funds, the department  
2 may do all of the following:

3           (a) Promote the creation of coalitions among the state, counties, providers of  
4 mental health and alcohol and other drug abuse services, consumers of the services  
5 and their families and advocates for persons with mental illness and for alcoholic and  
6 drug dependent persons to develop, coordinate and provide a full range of resources  
7 to advance prevention; early intervention; treatment; recovery; safe and affordable  
8 housing; opportunities for education, employment and recreation; family and peer  
9 support; self-help; and the safety and well-being of communities.

10          (b) In cooperation with counties, providers of mental health and alcohol and  
11 other drug abuse services, consumers of the services, interested community  
12 members and advocates for persons with mental illness and for alcoholic and drug  
13 dependent persons, develop and implement a comprehensive strategy to reduce  
14 stigma of and discrimination against persons with mental illness, alcoholics and  
15 drug dependent persons.

16          (c) Develop and implement a comprehensive strategy to involve counties,  
17 providers of mental health and alcohol and other drug abuse services, consumers of  
18 the services and their families, interested community members and advocates for  
19 persons with mental illness and for alcoholic and drug dependent persons as equal  
20 participants in service system planning and delivery.

21          (d) Promote responsible stewardship of human and fiscal resources in the  
22 provision of mental health and alcohol and other drug abuse services.

23          (e) Develop and implement methods to identify and measure outcomes for  
24 consumers of mental health and alcohol and other drug abuse services.

1 (f) Promote access to appropriate mental health and alcohol and other drug  
2 abuse services regardless of a person's geographic location, age, degree of mental  
3 illness, alcoholism or drug dependency or availability of personal financial resources.

4 (g) Promote consumer decision making to enable persons with mental illness  
5 and alcohol or drug dependency to be more self-sufficient.

6 (h) Promote use by providers of mental health and alcohol and other drug abuse  
7 services of individualized service planning, under which the providers develop  
8 written individualized service plans that promote treatment and recovery, together  
9 with service consumers, families of service consumers who are children and  
10 advocates chosen by consumers.

11 **\*-0326/3.4\* SECTION 1515.** 51.03 (5) of the statutes is created to read:

12 51.03 (5) The department shall ensure that providers of mental health and  
13 alcohol and other drug abuse services who use individualized service plans, as  
14 specified in sub. (4) (h), do all of the following in using a plan:

15 (a) Establish meaningful and measurable goals for the consumer.

16 (b) Base the plan on a comprehensive assessment of the consumer's strengths,  
17 abilities, needs and preferences.

18 (c) Keep the plan current.

19 (d) Modify the plan as necessary.

20 **\*-2105/1.27\* SECTION 1516.** 51.05 (2) of the statutes is amended to read:

21 51.05 (2) The department may not accept for admission to a mental health  
22 institute any resident person, except in an emergency, unless the county department  
23 under s. 51.42 in the county where the person has legal residency authorizes the care,  
24 as provided in s. 51.42 (3) (as). Patients who are committed to the department under  
25 s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17, 975.06 or 980.06,

1 admitted by the department under s. 975.17, 1977 stats., or are transferred from a  
2 juvenile secured correctional facility ~~or, a secured child caring institution, as defined~~  
3 ~~in s. 938.02 (15g), or a secured group home~~ to a state treatment facility under s. 51.35  
4 (3) or from a jail or prison to a state treatment facility under s. 51.37 (5) are not  
5 subject to this section.

6 **\*-0025/1.1\* SECTION 1517.** 51.06 (1) (d) of the statutes is amended to read:

7 51.06 (1) (d) ~~At the southern center for developmentally disabled, services~~  
8 Services for up to 10 36 individuals with developmental disability who are also  
9 diagnosed as mentally ill or who exhibit extremely aggressive and challenging  
10 behaviors ~~and at the northern center for developmentally disabled, services for up~~  
11 ~~to 12 such individuals.~~

12 **\*-0023/4.3\* SECTION 1518.** 51.07 (3) of the statutes is amended to read:

13 51.07 (3) The department may provide outpatient services only to patients  
14 contracted for with county departments under ss. 51.42 and 51.437 in accordance  
15 with s. 46.03 (18), except for those patients whom the department finds to be  
16 nonresidents of this state ~~and those patients specified in sub. (4)(a)~~ persons receiving  
17 services under contracts under s. 46.043. The full and actual cost less applicable  
18 collections of services contracted for with county departments under s. 51.42 or  
19 51.437 shall be charged to the respective county department under s. 51.42 or 51.437.  
20 The state shall provide the services required for patient care only if no outpatient  
21 services are funded by the department in the county or group of counties served by  
22 the respective county department under s. 51.42 or 51.437.

23 **\*-0023/4.4\* SECTION 1519.** 51.07 (4) of the statutes is repealed.

24 **\*-0689/2.1\* SECTION 1520.** 51.15 (1) (a) 5. c. of the statutes is repealed.

25 **\*-0689/2.2\* SECTION 1521.** 51.15 (1) (c) 4. of the statutes is repealed.

1           **\*-0689/2.3\* SECTION 1522.** 51.20 (1)(a) 2. e. of the statutes is amended to read:

2           51.20 (1) (a) 2. e. For an individual, other than an individual who is alleged to  
3       be drug dependent or developmentally disabled, after the advantages and  
4       disadvantages of and alternatives to accepting a particular medication or treatment  
5       have been explained to him or her and because of mental illness, evidences either  
6       incapability of expressing an understanding of the advantages and disadvantages of  
7       accepting medication or treatment and the alternatives, or substantial incapability  
8       of applying an understanding of the advantages, disadvantages and alternatives to  
9       his or her mental illness in order to make an informed choice as to whether to accept  
10      or refuse medication or treatment; and evidences a substantial probability, as  
11      demonstrated by both the individual's treatment history and his or her recent acts  
12      or omissions, that the individual needs care or treatment to prevent further  
13      disability or deterioration and a substantial probability that he or she will, if left  
14      untreated, lack services necessary for his or her health or safety and suffer severe  
15      mental, emotional or physical harm that will result in the loss of the individual's  
16      ability to function independently in the community or the loss of cognitive or  
17      volitional control over his or her thoughts or actions. The probability of suffering  
18      severe mental, emotional or physical harm is not substantial under this subd. 2. e.  
19      if reasonable provision for the individual's care or treatment is available in the  
20      community and there is a reasonable probability that the individual will avail  
21      himself or herself of these services or if the individual is appropriate for protective  
22      placement under s. 55.06. Food, shelter or other care that is provided to an individual  
23      who is substantially incapable of obtaining food, shelter or other care for himself or  
24      herself by any person other than a treatment facility does not constitute reasonable  
25      provision for the individual's care or treatment in the community under this subd.

1 2. e. The individual's status as a minor does not automatically establish a substantial  
2 probability of suffering severe mental, emotional or physical harm under this subd.

3 ~~2.e. This subd. 2. e. does not apply after November 30, 2001.~~

4 **\*-0689/2.4\* SECTION 1523.** 51.20 (1) (ad) 3. of the statutes is repealed.

5 **\*-0689/2.5\* SECTION 1524.** 51.20 (10) (cm) 1. of the statutes is renumbered  
6 51.20 (10) (cm) and amended to read:

7 51.20 (10) (cm) Prior to or at the final hearing, for individuals for whom a  
8 petition is filed under sub. (1)(a) 2. e., the county department under s. 51.42 or 51.437  
9 shall furnish to the court and the subject individual an initial recommended written  
10 treatment plan that contains the goals of treatment, the type of treatment to be  
11 provided and the expected providers. The treatment plan shall address the  
12 individual's needs for inpatient care, residential services, community support  
13 services, medication and its monitoring, case management, and other services to  
14 enable the person to live in the community upon release from an inpatient facility.  
15 The treatment plan shall contain information concerning the availability of the  
16 needed services and community treatment providers' acceptance of the individual  
17 into their programs. The treatment plan is only a recommendation and is not subject  
18 to approval or disapproval by the court. Failure to furnish a treatment plan under  
19 this ~~subdivision~~ paragraph does not constitute grounds for dismissal of the petition  
20 unless the failure is made in bad faith.

21 **\*-0689/2.6\* SECTION 1525.** 51.20 (10) (cm) 2. of the statutes is repealed.

22 **\*-0112/2.1\* SECTION 1526.** 51.20 (13) (g) 1. of the statutes is amended to read:

23 51.20 (13) (g) 1. Except as provided in ~~subd.~~ subds. 2., 2f. and 2g., the first order  
24 of commitment of a subject individual under this section may be for a period not to

1 exceed 6 months, and all subsequent consecutive orders of commitment of the  
2 individual may be for a period not to exceed one year.

3 **\*-0689/2.7\* SECTION 1527.** 51.20 (13) (g) 2d. c. of the statutes is repealed.

4 **\*-0112/2.2\* SECTION 1528.** 51.20 (13) (g) 2f. of the statutes is created to read:

5 51.20 (13) (g) 2f. Any order of commitment of a subject individual under par.  
6 (a) 4., following proof of the allegations under sub. (1) (ar), may be for a period not  
7 to exceed one year.

8 **\*-0112/2.3\* SECTION 1529.** 51.20 (13) (g) 2g. of the statutes is amended to read:

9 51.20 (13) (g) 2g. The total period a person may be committed pursuant to  
10 commitments ordered under par. (a) ~~4.~~ or 4m., following proof of the allegations  
11 under sub. (1) ~~(ar)~~ or (av), may not exceed 180 days in any 365-day period.

12 **\*-0112/2.4\* SECTION 1530.** 51.20 (13) (g) 2m. of the statutes is amended to  
13 read:

14 51.20 (13) (g) 2m. In addition to the provisions under subds. 1., 2., 2f. and 2g.,  
15 no commitment ordered under par. (a) 4. or 4m. may continue beyond the inmate's  
16 date of release on parole or extended supervision, as determined under s. 302.11 or  
17 302.113, whichever is applicable.

18 **\*-0112/2.5\* SECTION 1531.** 51.20 (13) (g) 2r. of the statutes is amended to read:

19 51.20 (13) (g) 2r. Twenty-one days prior to expiration of the period of  
20 commitment under subd. 1., 2., 2f. 2g. or 2m., the department, if the individual is  
21 committed to the department, or the county department to which an individual is  
22 committed shall file an evaluation of the individual and the recommendation of the  
23 department or county department regarding the individual's recommitment with the  
24 committing court and provide a copy of the evaluation and recommendation to the  
25 individual's counsel and the counsel designated under sub. (4). If the date for filing

1 an evaluation and recommendation under this subdivision falls on a Saturday,  
2 Sunday or legal holiday, the date which is not a Saturday, Sunday or legal holiday  
3 and which most closely precedes the evaluation and recommendation filing date  
4 shall be the filing date. A failure of the department or the county department to  
5 which an individual is committed to file an evaluation and recommendation under  
6 this subdivision does not affect the jurisdiction of the court over a petition for  
7 recommitment.

8 **\*-2105/1.28\* SECTION 1532.** 51.35 (3) (title) of the statutes is amended to read:

9 51.35 (3) (title) ~~TRANSFER OF CERTAIN JUVENILES FROM JUVENILE CORRECTIONAL~~  
10 ~~SECURED JUVENILE FACILITIES AND SECURED CHILD CARING INSTITUTIONS.~~

11 **\*-2105/1.29\* SECTION 1533.** 51.35 (3) (a) of the statutes is amended to read:

12 51.35 (3) (a) A licensed psychologist of a ~~juvenile~~ secured correctional facility  
13 or a secured child caring institution, ~~as defined in s. 938.02 (15g),~~ or a licensed  
14 physician of the department of corrections, who has reason to believe that any  
15 individual confined in the ~~facility or institution~~ secured correctional facility, secured  
16 child caring institution or secured group home is, in his or her opinion, in need of  
17 services for developmental disability, alcoholism or drug dependency or in need of  
18 psychiatric services, and who has obtained voluntary consent to make a transfer for  
19 treatment, shall make a report, in writing, to the superintendent of the ~~facility or~~  
20 ~~institution~~ secured correctional facility, secured child caring institution or secured  
21 group home, stating the nature and basis of the belief and verifying the consent. In  
22 the case of a minor age 14 and over, the minor and the minor's parent or guardian  
23 shall consent unless the minor is admitted under s. 51.13 (1) (c); and in the case of  
24 a minor under the age of 14, only the minor's parent or guardian need consent. The  
25 superintendent shall inform, orally and in writing, the minor and the minor's parent

1 or guardian, that transfer is being considered and shall inform them of the basis for  
2 the request and their rights as provided in s. 51.13 (3). If the department of  
3 corrections, upon review of a request for transfer, determines that transfer is  
4 appropriate, that department shall immediately notify the department of health and  
5 family services and, if the department of health and family services consents, the  
6 department of corrections may immediately transfer the individual. The  
7 department of ~~corrections~~ health and family services shall file a petition under s.  
8 51.13 (4) (a) in the court assigned to exercise jurisdiction under chs. 48 and 938 of the  
9 county where the treatment facility is located.

10 \***-2105/1.30\*** SECTION 1534. 51.35 (3) (c) of the statutes is amended to read:

11 51.35 (3) (c) A licensed psychologist of a ~~juvenile~~ secured correctional facility  
12 or a secured child caring institution, ~~as defined in s. 938.02 (15g)~~, or a licensed  
13 physician of the department of corrections, who has reason to believe that any  
14 individual confined in the ~~facility or institution~~ secured correctional facility, secured  
15 child caring institution or secured group home, in his or her opinion, is mentally ill,  
16 drug dependent or developmentally disabled and is dangerous as described in s.  
17 51.20 (1) (a) 2. a., b., c. or d., is mentally ill, is dangerous and satisfies the standard  
18 under s. 51.20 (1) (a) 2. e. or is an alcoholic and is dangerous as described in s. 51.45  
19 (13) (a) 1. and 2., shall file a written report with the superintendent of the ~~facility or~~  
20 ~~institution~~ secured correctional facility, secured child caring institution or secured  
21 group home, stating the nature and basis of the belief. If the superintendent, upon  
22 review of the allegations in the report, determines that transfer is appropriate, he  
23 or she shall file a petition according to s. 51.20 or 51.45 in the court assigned to  
24 exercise jurisdiction under chs. 48 and 938 of the county where the secured  
25 correctional facility or, secured child caring institution or secured group home is



1 located. The court shall hold a hearing according to procedures provided in s. 51.20  
2 or 51.45 (13).

3 **\*-2105/1.31\* SECTION 1535.** 51.35 (3) (c) of the statutes, as affected by 1995  
4 Wisconsin Act 292, section 28, and 1999 Wisconsin Act .... (this act), is repealed and  
5 recreated to read:

6 51.35 (3) (c) A licensed psychologist of a secured correctional facility or a  
7 secured child caring institution or a licensed physician of the department of  
8 corrections, who has reason to believe that any individual confined in the secured  
9 correctional facility, secured child caring institution or secured group home, in his  
10 or her opinion, is mentally ill, drug dependent or developmentally disabled and is  
11 dangerous as described in s. 51.20 (1) (a) 2., or is an alcoholic and is dangerous as  
12 described in s. 51.45 (13) (a) 1. and 2., shall file a written report with the  
13 superintendent of the secured correctional facility, secured child caring institution  
14 or secured group home, stating the nature and basis of the belief. If the  
15 superintendent, upon review of the allegations in the report, determines that  
16 transfer is appropriate, he or she shall file a petition according to s. 51.20 or 51.45  
17 in the court assigned to exercise jurisdiction under ch. 48 of the county where the  
18 secured correctional facility, secured child caring institution or secured group home  
19 is located. The court shall hold a hearing according to procedures provided in s. 51.20  
20 or 51.45 (13).

21 **\*-2105/1.32\* SECTION 1536.** 51.35 (3) (e) of the statutes is amended to read:

22 51.35 (3) (e) The department of corrections may authorize emergency transfer  
23 of an individual from a juvenile secured correctional facility ~~or~~, a secured child caring  
24 institution, ~~as defined in s. 938.02 (15g), or a secured group home~~ to a state treatment  
25 facility if there is cause to believe that the individual is mentally ill, drug dependent

1 or developmentally disabled and exhibits conduct which constitutes a danger as  
2 described under s. 51.20 (1) (a) 2. a., b., c. or d. to the individual or to others, is  
3 mentally ill, is dangerous and satisfies the standard under s. 51.20 (1) (a) 2. e. or is  
4 an alcoholic and is dangerous as provided in s. 51.45 (13) (a) 1. and 2. The custodian  
5 of the sending facility or institution secured correctional facility, secured child caring  
6 institution or secured group home shall execute a statement of emergency detention  
7 or petition for emergency commitment for the individual and deliver it to the  
8 receiving state treatment facility. The department of health and family services  
9 shall file the statement or petition with the court within 24 hours after the subject  
10 individual is received for detention or commitment. The statement or petition shall  
11 conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency transfer is made,  
12 the director of the receiving facility may file a petition for continued commitment  
13 under s. 51.20 (1) or 51.45 (13) or may return the individual to the ~~facility or~~  
14 ~~institution~~ secured correctional facility, secured child caring institution or secured  
15 group home from which the transfer was made. As an alternative to this procedure,  
16 the procedure provided in s. 51.15 or 51.45 (12) may be used, except that no ~~prisoner~~  
17 individual may be released without the approval of the court which directed  
18 confinement in the secured correctional facility ~~or~~, secured child caring institution  
19 or secured group home.

20 **\*-2105/1.33\* SECTION 1537.** 51.35 (3) (e) of the statutes, as affected by 1995  
21 Wisconsin Act 292, section 28, and 1999 Wisconsin Act .... (this act), is repealed and  
22 recreated to read:

23 51.35 (3) (e) The department of corrections may authorize emergency transfer  
24 of an individual from a secured correctional facility, a secured child caring institution  
25 or a secured group home to a state treatment facility if there is cause to believe that

1 the individual is mentally ill, drug dependent or developmentally disabled and  
2 exhibits conduct which constitutes a danger as described under s. 51.20 (1) (a) 2. to  
3 the individual or to others, or is an alcoholic and is dangerous as provided in s. 51.45  
4 (13) (a) 1. and 2. The custodian of the sending secured correctional facility, secured  
5 child caring institution or secured group home shall execute a statement of  
6 emergency detention or petition for emergency commitment for the individual and  
7 deliver it to the receiving state treatment facility. The department of health and  
8 family services shall file the statement or petition with the court within 24 hours  
9 after the subject individual is received for detention or commitment. The statement  
10 or petition shall conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency  
11 transfer is made, the director of the receiving facility may file a petition for continued  
12 commitment under s. 51.20 (1) or 51.45 (13) or may return the individual to the  
13 secured correctional facility, secured child caring institution or secured group home  
14 from which the transfer was made. As an alternative to this procedure, the  
15 procedure provided in s. 51.15 or 51.45 (12) may be used, except that no individual  
16 may be released without the approval of the court which directed confinement in the  
17 secured correctional facility, secured child caring institution or secured group home.

18 **\*-2105/1.34\* SECTION 1538.** 51.35 (3) (g) of the statutes is amended to read:  
19 51.35 (3) (g) A minor 14 years of age or older who is transferred to a treatment  
20 facility under par. (a) may request in writing a return to the juvenile secured  
21 correctional facility or, secured child caring institution, as defined in s. 938.02 (15g)  
22 or secured group home. In the case of a minor under 14 years of age, the parent or  
23 guardian may make the request. Upon receipt of a request for return from a minor  
24 14 years of age or over, the director shall immediately notify the minor's parent or  
25 guardian. The minor shall be returned to the juvenile secured correctional facility

## SECTION 1538

1    ~~or~~, secured child caring institution or secured group home within 48 hours after  
2    submission of the request unless a petition or statement is filed for emergency  
3    detention, emergency commitment, involuntary commitment or protective  
4    placement.

5            **\*-0030/1.100\* SECTION 1539.** 51.42 (3) (ar) 17. of the statutes is created to  
6    read:

7            51.42 (3) (ar) 17. If authorized under s. 46.283 (1) (a) 1., apply to the department  
8    of health and family services to operate a resource center under s. 46.283 and, if the  
9    department contracts with the county under s. 46.283 (2), operate the resource  
10   center.

11           **\*-0030/1.101\* SECTION 1540.** 51.42 (3) (ar) 18. of the statutes is created to  
12   read:

13           51.42 (3) (ar) 18. If authorized under s. 46.284 (1) (a) 1., apply to the department  
14   of health and family services to operate a care management organization under s.  
15   46.284 and, if the department contracts with the county under s. 46.284 (2), operate  
16   the care management organization and, if appropriate, place funds in a risk reserve.

17           **\*-1173/1.1\* SECTION 1541.** 51.42 (3) (as) 3. of the statutes is amended to read:

18           51.42 (3) (as) 3. Care, services and supplies provided after December 31, 1973,  
19   to any person who, on December 31, 1973, was in or under the supervision of a mental  
20   health institute, or was receiving mental health services in a facility authorized by  
21   s. 51.08 or 51.09, but was not admitted to a mental health institute by the  
22   department of health and family services, shall be charged to the county department  
23   of community programs which was responsible for such care and services at the place  
24   where the patient resided when admitted to the institution. The department of  
25   health and family services ~~shall~~ may bill county departments of community

1 programs for care provided at the mental health institutes at rates which reflects the  
2 ~~estimated per diem cost of specific levels of care, to be adjusted periodically by the~~  
3 department of health and family services sets on a flexible basis, except that this  
4 flexible rate structure shall cover the cost of operations of the mental health  
5 institutes.

6 **\*-0284/3.6\* SECTION 1542.** 51.42 (3) (aw) 1. d. of the statutes is amended to  
7 read:

8 51.42 (3) (aw) 1. d. Provide treatment and services that are specified in a  
9 conditional release plan approved by a court for a person who is a county resident and  
10 is conditionally released under s. 971.17 (3) or (4) or that are specified in a supervised  
11 release plan approved by a court under s. 980.06 (2) (e) (cr) or 980.08 (5) (d). If the  
12 county department provides treatment and services under this subdivision, the  
13 department of health and family services shall, from the appropriation under s.  
14 20.435 (2) (bj), pay the county department for the costs of the treatment and services.

15 **\*-0030/1.102\* SECTION 1543.** 51.42 (3) (e) of the statutes is amended to read:

16 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78  
17 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07  
18 (3) (c) and 938.78 (2) (a), any subunit of a county department of community programs  
19 acting under this section may exchange confidential information about a client,  
20 without the informed consent of the client, with any other subunit of the same county  
21 department of community programs, with a resource center, care management  
22 organization or family care district, or with any person providing services to the  
23 client under a purchase of services contract with the county department of  
24 community programs or with a resource center, care management organization or  
25 family care district, if necessary to enable an employe or service provider to perform

1 his or her duties, or to enable the county department of community programs to  
2 coordinate the delivery of services to the client.

3 **\*-0271/4.8\* SECTION 1544.** 51.423 (1) of the statutes is amended to read:

4 51.423 (1) The department shall fund, within the limits of the department's  
5 allocation for mental health services under s. 20.435 (3) (o) and (7) (b), (kw), (kz) and  
6 (o) and subject to this section, services for mental illness, developmental disability,  
7 alcoholism and drug abuse to meet standards of service quality and accessibility. The  
8 department's primary responsibility is to guarantee that county departments  
9 established under either s. 51.42 or 51.437 receive a reasonably uniform minimum  
10 level of funding and its secondary responsibility is to fund programs which meet  
11 exceptional community needs or provide specialized or innovative services. Moneys  
12 appropriated under s. 20.435 (7) (b) and earmarked by the department for mental  
13 health services under s. 20.435 (7) (o) shall be allocated by the department to county  
14 departments under s. 51.42 or 51.437 in the manner set forth in this section.

15 **\*-0275/5.10\* SECTION 1545.** 51.423 (2) of the statutes is amended to read:

16 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw), (kz)  
17 and (o), the department shall distribute the funding for services provided or  
18 purchased by county departments under s. 46.23, 51.42 or 51.437 to such county  
19 departments as provided under s. 46.40. County matching funds are required for the  
20 distributions under s. 46.40 (2) and (9) (b). Each county's required match for the  
21 distributions under s. 46.40 (2) for a year equals 9.89% of the total of the county's  
22 distributions under s. 46.40 (2) for that year for which matching funds are required  
23 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for  
24 juvenile delinquency-related services from its distribution for 1987. Each county's  
25 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of

1     that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching  
2     funds may be from county tax levies, federal and state revenue sharing funds or  
3     private donations to the counties that meet the requirements specified in sub. (5).  
4     Private donations may not exceed 25% of the total county match. If the county match  
5     is less than the amount required to generate the full amount of state and federal  
6     funds distributed for this period, the decrease in the amount of state and federal  
7     funds equals the difference between the required and the actual amount of county  
8     matching funds.

\*\*\*\*NOTE: This is reconciled s. 51.423 (2). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-0271/3 and LRB-0275/4.

9           **\*-0275/5.11\* SECTION 1546.** 51.423 (2m) of the statutes is created to read:

10           51.423 (2m) The department shall pay any performance-based distribution  
11           under s. 46.40 (2) earned by a county department under s. 46.23, 51.42 or 51.437 by  
12           December 31 of the year after the year in which the performance-based distribution  
13           was earned. The county department may expend that distribution for any purpose  
14           specified in s. 20.435 (7) (b).

15           **\*-0030/1.103\* SECTION 1547.** 51.437 (4m) (n) of the statutes is created to read:

16           51.437 (4m) (n) If authorized under s. 46.283 (1) (a) 1., apply to the department  
17           of health and family services to operate a resource center under s. 46.283 and, if the  
18           department contracts with the county under s. 46.283 (2), operate the resource  
19           center.

20           **\*-0030/1.104\* SECTION 1548.** 51.437 (4m) (p) of the statutes is created to read:

21           51.437 (4m) (p) If authorized under s. 46.284 (1) (a) 1., apply to the department  
22           of health and family services to operate a care management organization under s.

**SECTION 1548**

1 46.284 and, if the department contracts with the county under s. 46.284 (2), operate  
2 the care management organization and, if appropriate, place funds in a risk reserve.

3 **\*-0030/1.105\* SECTION 1549.** 51.437 (4r) (b) of the statutes is amended to read:

4 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,  
5 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a),  
6 any subunit of the county department of developmental disabilities services acting  
7 under this section may exchange confidential information about a client, without the  
8 informed consent of the client, with any other subunit of the same county department  
9 of developmental disabilities services, with a resource center, care management  
10 organization or family care district, or with any person providing services to the  
11 client under a purchase of services contract with the county department of  
12 developmental disabilities services or with a resource center, care management  
13 organization or family care district, if necessary to enable an employe or service  
14 provider to perform his or her duties, or to enable the county department of  
15 developmental disabilities services to coordinate the delivery of services to the client.

16 **\*-0277/4.10\* SECTION 1550.** 51.45 (5) of the statutes is repealed.

17 **\*-0689/2.8\* SECTION 1551.** 51.61 (1) (g) 3m. of the statutes is amended to read:

18 51.61 (1) (g) 3m. Following a final commitment order for a subject individual  
19 who is determined to meet the commitment standard under s. 51.20 (1) (a) 2. e., the  
20 court shall issue an order permitting medication or treatment to be administered to  
21 the individual regardless of his or her consent. ~~This subdivision does not apply after~~  
22 ~~November 30, 2001.~~

23 **\*-0183/2.13\* SECTION 1552.** 58.06 of the statutes is repealed.

24 **\*-0063/2.2\* SECTION 1553.** 59.25 (3) (f) 2. of the statutes is amended to read:



1           59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be  
2   deposited in the state treasury, the amounts required by s. ~~165.87~~ 757.05 for the  
3   penalty assessment surcharge, the amounts required by s. 165.755 for the crime  
4   laboratories and drug law enforcement assessment, the amounts required by s.  
5   167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the  
6   crime victim and witness assistance surcharge, the amounts required by s. 938.34  
7   (8d) for the delinquency victim and witness assistance surcharge, the amounts  
8   required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts  
9   required by s. 961.41 (5) for the drug abuse program improvement surcharge, the  
10   amounts required by s. 100.261 for the consumer information assessment, the  
11   amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the  
12   domestic abuse assessment, the amounts required by s. 253.06 (4) (c) for the  
13   enforcement assessment under the supplemental food program for women, infants  
14   and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r) for the  
15   railroad crossing improvement assessment, the amounts required by s. 346.655 (2)  
16   (a) and (b) for the driver improvement surcharge, the amounts required by s. 102.85  
17   (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the  
18   environmental assessment, the amounts required by s. 29.983 for the wild animal  
19   protection assessment, the amounts required by s. 29.987 for the natural resources  
20   assessment surcharge, the amounts required by s. 29.985 for the fishing shelter  
21   removal assessment, the amounts required by s. 350.115 for the snowmobile  
22   registration restitution payment and the amounts required by s. 29.989 for natural  
23   resources restitution payments, transmit to the state treasurer a statement of all  
24   moneys required by law to be paid on the actions entered during the preceding month  
25   on or before the first day of the next succeeding month, certified by the county

1 treasurer's personal signature affixed or attached thereto, and at the same time pay  
2 to the state treasurer the amount thereof.

\*\*\*NOTE: This is reconciled s. 59.25 (3) (f) 2. This SECTION has been affected by  
drafts with the following LRB numbers: 0063/1 and 1265/5.

3 **\*-0063/2.3\* SECTION 1554.** 59.40 (2) (m) of the statutes is amended to read:  
4 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's  
5 percentage of the fees required to be paid on each civil action, criminal action and  
6 special proceeding filed during the preceding month and pay monthly to the  
7 treasurer for the use of the state the percentage of court imposed fines and forfeitures  
8 required by law to be deposited in the state treasury, the amounts required by s.  
9 ~~165.87 (2) (b)~~ 757.05 for the penalty assessment surcharge, the amounts required by  
10 s. 165.755 for the crime laboratories and drug law enforcement assessment, the  
11 amounts required by s. 167.31 (5) for the weapons assessment, the amounts required  
12 by s. 973.045 for the crime victim and witness assistance surcharge, the amounts  
13 required by s. 938.34 (8d) for the delinquency victim and witness assistance  
14 surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis  
15 surcharge, the amounts required by s. 961.41 (5) for the drug abuse program  
16 improvement surcharge, the amounts required by s. 100.261 for the consumer  
17 information assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required  
18 by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by  
19 s. 253.06 (4) (c) for the enforcement assessment under the supplemental food  
20 program for women, infants and children, the amounts required by ss. 346.177,  
21 346.495 and 346.65 (4r) for the railroad crossing improvement assessment, the  
22 amounts required by s. 346.655 for the driver improvement surcharge, the amounts  
23 required by s. 102.85 (4) for the uninsured employer assessment, the amounts

1 required by s. 299.93 for the environmental assessment, the amounts required under  
2 s. 29.983 for the wild animal protection assessment, the amounts required under s.  
3 29.987 (1) (d) for the natural resources assessment surcharge, the amounts required  
4 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.  
5 350.115 for the snowmobile registration restitution payment and the amounts  
6 required under s. 29.989 (1) (d) for the natural resources restitution payments. The  
7 payments shall be made by the 15th day of the month following receipt thereof.

\*\*\*\*NOTE: This is reconciled s. 59.40 (2) (m). This SECTION has been affected by  
drafts with the following LRB numbers: 0063/1 and 1265/5.

8 **\*-1256/P4.1\* SECTION 1555.** 59.69 (3) (a) of the statutes is amended to read:  
9 59.69 (3) (a) The county zoning agency shall direct the preparation of a county  
10 development plan or parts thereof for the physical development of the  
11 unincorporated territory within the county and areas within incorporated  
12 jurisdictions whose governing bodies by resolution agree to having their areas  
13 included in the county's development plan. The plan may be adopted in whole or in  
14 part and may be amended by the board and endorsed by the governing bodies of  
15 incorporated jurisdictions included in the plan. The county development plan, in  
16 whole or in part, in its original form or as amended, is hereafter referred to as the  
17 development plan. The development plan shall contain at least the elements  
18 described in s. 66.0295.

19 **\*-1256/P4.2\* SECTION 1556.** 59.69 (3) (b) of the statutes is repealed and  
20 recreated to read:

21 59.69 (3) (b) The development plan shall include the master plan, if any, of any  
22 city or village, which was adopted under s. 62.23 (2) or (3) and the official map, if any,

1 of such city or village, which was adopted under s. 62.23 (6) in the county, without  
2 change.

3 **\*-1065/2.1\* SECTION 1557.** 59.692 (6m) of the statutes is created to read:

4 59.692 (6m) For an amendment to an ordinance enacted under this section that  
5 affects an activity that meets all of the requirements under s. 281.165 (1) to (5), the  
6 department may not proceed under sub. (6) or (7) (b) or (c), or otherwise review the  
7 amendment, to determine whether the ordinance, as amended, fails to meet the  
8 shoreland zoning standards.

9 **\*-0935/2.3\* SECTION 1558.** 59.70 (1) of the statutes is amended to read:

10 59.70 (1) BUILDING AND SANITARY CODES. The board may enact building and  
11 sanitary codes, make necessary rules and regulations in relation thereto and provide  
12 for enforcement of the codes, rules and regulations by forfeiture or otherwise. The  
13 codes, rules and regulations do not apply within municipalities which have enacted  
14 ordinances or codes concerning the same subject matter. "Sanitary code" does not  
15 include a ~~private~~ small sewage system ordinance enacted under sub. (5). "Building  
16 and sanitary codes" does not include well code ordinances enacted under sub. (6).

17 **\*-0935/2.4\* SECTION 1559.** 59.70 (5) of the statutes is amended to read:

18 59.70 (5) ~~PRIVATE~~ SMALL SEWAGE SYSTEM ORDINANCE. (a) Every governmental  
19 unit responsible for the regulation of ~~private~~ small sewage systems, as defined under  
20 s. 145.01 (5), shall enact an ordinance governing ~~private~~ small sewage systems, as  
21 defined in s. 145.01 (12) (14m), which conforms with the state plumbing code. The  
22 ordinance shall apply to the entire area of the governmental unit responsible for the  
23 regulation of ~~private~~ small sewage systems, as defined under s. 145.01 (5). After  
24 July 1, 1980, no municipality may enact or enforce a ~~private~~ small sewage system

1 ordinance unless it is a governmental unit responsible for the regulation of private  
2 small sewage systems, as defined under s. 145.01 (5).

3 (b) The governmental unit responsible for the regulation of private small  
4 sewage systems, as defined under s. 145.01 (5), shall administer the private small  
5 sewage system ordinance under s. 145.20 and the rules promulgated under s. 145.20.

6 **\*-0935/2.5\* SECTION 1560.** 60.70 (5) of the statutes is amended to read:

7 60.70 (5) "Private sewage system" ~~has the meaning given under s. 145.01 (12)~~  
8 means a sewage treatment and disposal system serving a single structure with a  
9 septic tank and soil absorption field located on the same parcel as the structure. This  
10 term also means an alternative sewage system approved by the department of  
11 commerce including a substitute for the septic tank or soil absorption field, a holding  
12 tank, a system serving more than one structure or a system located on a different  
13 parcel than the structure. A private sewage system may be owned by the property  
14 owner or by a special purpose district.

15 **\*-0935/2.6\* SECTION 1561.** 60.70 (6m) of the statutes is created to read:

16 60.70 (6m) "Small sewage system" has the meaning given in s. 145.01 (14m).

17 **\*-0935/2.7\* SECTION 1562.** 60.726 (2) of the statutes is amended to read:

18 60.726 (2) If a property owner installed on his or her property a private sewage  
19 system, ~~as defined in s. 145.01 (12)~~, that conforms with the state plumbing code,  
20 before a town sanitary district that encompasses that property came into existence,  
21 that property shall be included in the town sanitary district. If the private sewage  
22 system was installed on or after 10 years before May 14, 1992, and if the property  
23 owner provides the town sanitary district with any information about the cost of the  
24 private sewage system required by the district, the town sanitary district, when the  
25 district issues any assessment or charges or imposes property taxes to construct a

1 sewage service system, shall pay or credit the property owner an amount equal to  
2 10% of the cost of the private sewage system, less any grants or aids received by the  
3 property owner for construction of the private sewage system, multiplied by the  
4 number of years of remaining life of the private sewage system. The number of years  
5 of remaining life of the private sewage system is equal to 10 minus the number of  
6 years that the private sewage system has been in operation.

7 **\*-0935/2.8\* SECTION 1563.** 60.77 (5) (b) of the statutes is amended to read:

8 60.77 (5) (b) Require the installation of ~~private~~ small sewage systems.

9 **\*-0935/2.9\* SECTION 1564.** 60.77 (5) (bm) of the statutes is amended to read:

10 60.77 (5) (bm) Require the inspection of ~~private~~ small sewage systems that  
11 have been already installed to determine compliance with the state plumbing code  
12 and may report violations of the state plumbing code to the governmental unit  
13 responsible for the regulation of ~~private~~ small sewage systems for enforcement under  
14 s. 145.20.

15 **\*-0935/2.10\* SECTION 1565.** 60.77 (5) (bs) of the statutes is amended to read:

16 60.77 (5) (bs) Provide direct financial assistance for costs related to the  
17 replacement of ~~private~~ small sewage systems, as defined in s. 145.01 ~~(12)~~ (14m), that  
18 are failing.

19 **\*-0935/2.11\* SECTION 1566.** 60.77 (5) (j) of the statutes is amended to read:

20 60.77 (5) (j) Administer the ~~private~~ small sewage system program if authorized  
21 under s. 145.20 (1) (am).

22 **\*-1256/P4.3\* SECTION 1567.** 62.23 (2) of the statutes is amended to read:

23 62.23 (2) FUNCTIONS. It shall be the function and duty of the commission to  
24 make and adopt a master plan for the physical development of the city, including any  
25 areas outside of its boundaries which in the commission's judgment bear relation to

1 the development of the city provided, however, that in any county where a regional  
2 planning department has been established, areas outside the boundaries of a city  
3 may not be included in the master plan without the consent of the county board of  
4 supervisors. The master plan, with the accompanying maps, plats, charts and  
5 descriptive and explanatory matter, shall show the commission's recommendations  
6 for such physical development, and ~~may include, among other things without~~  
7 ~~limitation because of enumeration, the general location, character and extent of~~  
8 ~~streets, highways, freeways, street grades, roadways, walks, bridges, viaducts,~~  
9 ~~parking areas, tunnels, public places and areas, parks, parkways, playgrounds, sites~~  
10 ~~for public buildings and structures, airports, pierhead and bulkhead lines,~~  
11 ~~waterways, routes for railroads and buses, historic districts, and the general location~~  
12 ~~and extent of sewers, water conduits and other public utilities whether privately or~~  
13 ~~publicly owned, the acceptance, widening, narrowing, extension, relocation,~~  
14 ~~removal, vacation, abandonment or change of use of any of the foregoing public ways,~~  
15 ~~grounds, places, spaces, buildings, properties, utilities, routes or terminals, the~~  
16 ~~general location, character and extent of community centers and neighborhood~~  
17 ~~units, the general character, extent and layout of the replanning of blighted districts~~  
18 ~~and slum areas, and a comprehensive zoning plan shall contain at least the elements~~  
19 ~~described in s. 66.0295.~~ The commission may from time to time amend, extend or add  
20 to the master plan or carry any part or subject matter into greater detail. The  
21 commission may adopt rules for the transaction of business and shall keep a record  
22 of its resolutions, transactions, findings and determinations, which record shall be  
23 a public record.

24 \***-1256/P4.4\*** SECTION 1568. 62.23 (3) (b) of the statutes is amended to read:

1           62.23 (3) (b) The commission may adopt the master plan as a whole by a single  
2 resolution, or, as the work of making the whole master plan progresses, may from  
3 time to time by resolution adopt a part or parts thereof, any such part to correspond  
4 generally with one or more of the functional subdivisions of the subject matter of the  
5 plan elements specified in s. 66.0295. The adoption of the plan or any part,  
6 amendment or addition, shall be by resolution carried by the affirmative votes of not  
7 less than a majority of all the members of the city plan commission. The resolution  
8 shall refer expressly to the ~~maps, descriptive matter,~~ elements under s. 66.0295 and  
9 other matters intended by the commission to form the whole or any part of the plan,  
10 and the action taken shall be recorded on the adopted plan or part thereof by the  
11 identifying signature of the secretary of the commission, and a copy of the plan or  
12 part thereof shall be certified to the common council. The purpose and effect of the  
13 adoption and certifying of the master plan or part thereof shall be solely to aid the  
14 city plan commission and the council in the performance of their duties.

15           \*-1065/2.2\* SECTION 1569. 62.231 (6m) of the statutes is created to read:

16           62.231 (6m) CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an  
17 ordinance enacted under this section that affects an activity that meets all of the  
18 requirements under s. 281.165 (1) to (5), the department of natural resources may  
19 not proceed under sub. (6), or otherwise review the amendment, to determine  
20 whether the ordinance, as amended, fails to meet reasonable minimum standards.

21           \*-1641/P4.1\* SECTION 1570. 66.014 (8) (b) of the statutes is amended to read:

22           66.014 (8) (b) On the basis of the hearing the circuit court shall find if the  
23 standards under s. 66.015 are met. If the court finds that the standards are not met,  
24 the court shall dismiss the petition. If the court finds that the standards are met the  
25 court shall refer the petition to the department and ~~thereupon~~ the department shall



1 determine whether ~~or not~~ the standards under s. 66.016 are met, except that if the  
2 incorporation is part of a cooperative boundary agreement under s. 66.023, the  
3 department is not required to determine whether the standards under s. 66.016 are  
4 met.

5 **\*-1641/P4.2\* SECTION 1571.** 66.015 (intro.) of the statutes is amended to read:

6 **66.015 Standards to be applied by the circuit court.** (intro.) Before  
7 referring the incorporation petition as provided in s. 66.014 (2) to the department,  
8 the court shall determine whether the petition meets the formal and signature  
9 requirements and shall further find, except as provided in sub. (6), that the following  
10 minimum requirements are met:

11 **\*-1641/P4.3\* SECTION 1572.** 66.015 (5) of the statutes is amended to read:

12 66.015 (5) STANDARDS WHEN NEAR FIRST, SECOND OR THIRD CLASS CITY. Where the  
13 proposed boundary of a metropolitan village or city is within 10 miles of the boundary  
14 of a city of the first class or 5 miles of a city of the second or third class, the minimum  
15 area requirements shall be ~~4~~ 3 and 6 square miles for villages and cities,  
16 respectively.

17 **\*-1641/P4.4\* SECTION 1573.** 66.015 (6) of the statutes is created to read:

18 66.015 (6) INCORPORATION AS PART OF COOPERATIVE PLAN. If an incorporation is  
19 part of a cooperative plan under s. 66.023, the court may not consider whether any  
20 of the requirements under subs. (1) to (5) are met.

21 **\*-0345/P4.1\* SECTION 1574.** 66.021 (7) (d) of the statutes is amended to read:

22 66.021 (7) (d) The annexation shall be effective ~~upon enactment of~~ when the  
23 annexation ordinance is recorded by the clerk with the register of deeds as provided  
24 in sub. (8) (a). The board of school directors in any city of the first class shall not be

1 required to administer the schools in any territory annexed to any such city until  
2 July 1 following such annexation.

3 **\*-0345/P4.2\* SECTION 1575.** 66.021 (8) (a) of the statutes is amended to read:

4 66.021 (8) (a) The clerk of a city or village which has annexed territory shall  
5 file immediately with the secretary of state a certified copy of the ordinance,  
6 certificate and plat, and shall send one copy of the ordinance, certificate and plat to  
7 each company that provides any utility service in the area that is annexed. The clerk  
8 shall also record the ordinance with the register of deeds and file a signed copy of the  
9 ordinance with the clerk of any affected school district. ~~Failure to file, record or send~~  
10 ~~shall not invalidate the annexation and the duty to file, record or send shall be a~~  
11 ~~continuing one.~~ The ordinance that is filed, recorded or sent shall describe the  
12 annexed territory and the associated population. The information filed with the  
13 secretary of state shall be utilized in making recommendations for adjustments to  
14 entitlements under the federal revenue sharing program and distribution of funds  
15 under ch. 79. The clerk shall certify annually to the secretary of state and record with  
16 the register of deeds a legal description of the total boundaries of the municipality  
17 as those boundaries existed on December 1, unless there has been no change in the  
18 12 months preceding.

19 **\*-0345/P4.3\* SECTION 1576.** 66.021 (11) (a) of the statutes is amended to read:

20 66.021 (11) (a) *Annexations within populous counties.* No annexation  
21 proceeding within a county having a population of 50,000 or more shall be valid  
22 unless the person causing a notice of annexation to be published under sub. (3) shall  
23 within 5 days of the publication mail a copy of the notice, legal description and a scale  
24 map of the proposed annexation to the clerk of each municipality affected and the  
25 department of administration, except that if the department of administration

1 determines within 5 days of receipt of the documents that the legal description or  
2 scale map is illegible, contains errors that prevent the department from ascertaining  
3 the territory that is proposed to be annexed or do not conform to generally accepted  
4 standards for the preparation of legal descriptions and scale maps the department  
5 may refuse acceptance of the documents and the annexation process may not  
6 continue. If the refused documents are resubmitted by the proposed annexing city  
7 or village to the department of administration not later than 10 days after they have  
8 been returned and the department determines that they are legible, accurate and  
9 conform to generally accepted standards for the preparation of legal descriptions and  
10 scale maps the annexation shall proceed. The department may within 20 60 days  
11 after receipt of the notice mail to the clerk of the town within which the territory lies  
12 and to the clerk of the proposed annexing village or city a notice that in its opinion  
13 the annexation is against the public interest. No later than 10 days after mailing the  
14 notice, the department shall advise the clerk of the town in which the territory is  
15 located and the clerk of the village or city to which the annexation is proposed of the  
16 reasons the annexation is against the public interest as defined in par. (c). The  
17 annexing municipality shall review the advice before final action is taken.

18 \***-1641/P4.5\* SECTION 1577.** 66.023 (title) of the statutes is amended to read:  
19 **66.023 (title) Boundary change pursuant to approved cooperative**  
20 **plan; incorporation of certain towns.**

21 \***-1641/P4.6\* SECTION 1578.** 66.023 (2) (intro.) of the statutes is amended to  
22 read:

23 66.023 (2) BOUNDARY CHANGE AUTHORITY. (intro.) Any combination of  
24 municipalities may determine the boundary lines between themselves under a  
25 cooperative plan that is approved by the department under this section. The

## SECTION 1578

1 cooperative plan may also include the incorporation of all or part of a town into a city  
2 or village, as described in sub. (4) (am). No boundary of a municipality may be  
3 changed or maintained under this section unless the municipality is a party to the  
4 cooperative agreement. The cooperative plan shall provide one or more of the  
5 following:

6 **\*-1641/P4.7\* SECTION 1579.** 66.023 (2) (e) of the statutes is created to read:

7 66.023 (2) (e) The date on which all or part of a town that is a party to the plan  
8 is to become incorporated as a city or village and the boundary of the new city or  
9 village if it does not include all of the territory of the town from which it was  
10 incorporated.

11 **\*-1641/P4.8\* SECTION 1580.** 66.023 (4) (am) of the statutes is created to read:

12 66.023 (4) (am) *Procedure if cooperative plan includes an incorporation.* 1. For  
13 a proposed plan to include an incorporation, the steps contained in ss. 66.014 (1) to  
14 (4) and (8) and 66.015 shall be concluded before the start of the hearing under par.  
15 (b).

16 2. If the steps described in subd. 1 are concluded before the start of the hearing  
17 and if the final cooperative plan is submitted to the department for review under sub.  
18 (5), the department shall, as part of its review, consider the effect of the proposed  
19 incorporation on the remainder of the town, if any, and on the other parties to the  
20 plan.

21 3. The final cooperative plan shall also contain a contingency cooperative plan  
22 that will take the place of the final cooperative plan in the event that the proposed  
23 incorporation that is part of the final cooperative plan is defeated in the referendum  
24 that is described under subd. 4.

1           4. If the department approves a final cooperative plan under sub. (5) that  
2 contains an incorporation of all or part of a town, the incorporation may not take  
3 effect until it is approved in a referendum that shall be held under s. 66.018. If the  
4 majority of votes cast in the referendum is against the incorporation, the contingent  
5 cooperative plan shall take the place of the final cooperative plan.

6           **\*-1641/P4.9\* SECTION 1581.** 66.023 (5) (c) 7. of the statutes is created to read:

7           66.023 (5) (c) 7. If the cooperative plan contains a proposed incorporation, the  
8 incorporation is in the public interest. In determining whether the incorporation is  
9 in the public interest, the department may apply the standards under s. 66.016.

10           **\*-1785/P3.4\* SECTION 1582.** 66.023 (7m) of the statutes is amended to read:

11           66.023 (7m) ZONING IN TOWN TERRITORY. If a town is a party to a cooperative plan  
12 with a city or village, the town and city or village may agree, as part of the cooperative  
13 plan, to authorize the town, city or village to adopt a zoning ordinance under s. 60.61,  
14 61.35 or 62.23 for all or a portion of the town territory covered by the plan. The  
15 exercise of zoning authority by a town under this subsection is not subject to s. 60.61  
16 (3) or 60.62 (3). If a county zoning ordinance applies to the town territory covered  
17 by the plan, that ordinance and amendments to it continue until a zoning ordinance  
18 is adopted under this subsection. If a zoning ordinance is adopted under this  
19 subsection, that zoning ordinance continues in effect after the planning period ceases  
20 until a different zoning ordinance for the territory is adopted under other applicable  
21 law. This subsection does not affect zoning ordinances adopted under ss. 59.692,  
22 87.30 or ~~91.71 to 91.78~~ 91.73 to 91.77.

23           **\*-1256/P4.5\* SECTION 1583.** 66.0295 of the statutes is created to read:

24           **66.0295 Comprehensive planning. (1) DEFINITIONS.** In this section:

25           (a) "Comprehensive plan" means:

1           1. For a county, a development plan that is prepared or amended under s. 59.69  
2           (2) or (3).

3           2. For a city or a village, or for a town that exercises village powers under s.  
4           60.22 (3), a master plan that is adopted or amended under s. 62.23 (2) or (3).

5           3. For a regional planning commission, a master plan that is adopted or  
6           amended under s. 66.945 (8), (9) or (10).

7           (b) "Local governmental unit" means a city, village, town, county or regional  
8           planning commission that may adopt, prepare or amend a comprehensive plan.

9           (2) CONTENTS OF A COMPREHENSIVE PLAN. A comprehensive plan shall contain  
10          all of the following elements:

11          (a) *Issues and opportunities element.* Background information on the local  
12          governmental unit and a statement of objectives, policies, goals and programs of the  
13          local governmental unit to guide the future growth and development of the local  
14          governmental unit over a 20-year planning period. Background information shall  
15          include population, household and employment forecasts that the local  
16          governmental unit uses in developing its plan, and demographic trends, age  
17          distribution, educational levels, income levels and employment characteristics that  
18          exist within the local governmental unit. The statement may also include similar  
19          elements related to federal and state programs and background information on  
20          nearby local governmental units that affect the local governmental unit.

21          (b) *Housing element.* A statement of objectives, policies, goals and programs  
22          of the local governmental unit to provide an adequate housing supply that meets  
23          existing and forecasted housing demand in the local governmental unit and in  
24          nearby local governmental units. The statement shall contain a map and shall  
25          assess the age, structural, value and occupancy characteristics of the local

1 governmental unit's housing stock. The statement shall also identify specific policies  
2 and programs that promote the development of housing for residents of the local  
3 governmental unit with all income levels and with various needs, and policies and  
4 programs to maintain or rehabilitate the local governmental unit's existing housing  
5 stock.

6 (c) *Transportation element.* A map and a statement of objectives, policies, goals  
7 and programs to guide the future development of transportation infrastructure and  
8 various modes of transportation, including public transportation, transportation  
9 systems for persons with disabilities, bicycles, walking, railroads, air transportation,  
10 trucking and water transportation. The statement shall compare the local  
11 governmental unit's objectives, policies, goals and programs to state and regional  
12 transportation plans. The statement shall also identify highways and streets within  
13 the local governmental unit by type and applicable transportation plans, including  
14 transportation corridor plans, county highway functional and jurisdictional studies,  
15 urban area and rural area transportation plans, airport master plans and rail plans  
16 that apply in the local governmental unit.

17 (d) *Utilities and community facilities element.* A map and a statement of  
18 objectives, policies, goals and programs to guide the future development of utilities  
19 and community facilities in the local governmental unit such as sanitary sewer  
20 service, stormwater management, water supply, solid waste disposal, on-site  
21 wastewater treatment technologies, recycling facilities, parks, telecommunications  
22 facilities, power-generating plants and transmission lines, cemeteries, health care  
23 facilities, child care facilities and other public facilities, such as police, fire and rescue  
24 facilities, libraries, schools and other governmental facilities. The statement shall  
25 describe the use and capacity of existing public utilities and community facilities

1 that serve the local governmental unit, shall include an approximate timetable that  
2 forecasts the need in the local governmental unit to expand or rehabilitate existing  
3 utilities and facilities or to create new utilities and facilities and shall assess future  
4 needs for government services in the local governmental unit that are related to such  
5 utilities and facilities.

6 (e) *Agricultural, natural and cultural resources element.* A map and a  
7 statement of objectives, policies, goals and programs for the conservation, and  
8 promotion of the effective management, of natural resources such as groundwater,  
9 forests, productive agricultural areas, environmentally sensitive areas, threatened  
10 and endangered species, stream corridors, surface water, floodplains, wetlands,  
11 wildlife habitat, metallic and nonmetallic mineral resources, parks, open spaces,  
12 historic and cultural resources, aesthetic resources, recreational resources and other  
13 natural resources.

14 (f) *Economic development element.* A map and a statement of objectives,  
15 policies, goals and programs to promote the stabilization, retention or expansion, of  
16 the economic base and quality employment opportunities in the local governmental  
17 unit, including an analysis of the labor force and economic base of the local  
18 governmental unit. The statement shall assess categories or particular types of new  
19 businesses and industries that are desired by the local governmental unit. The  
20 statement shall assess the local governmental unit's strengths and weaknesses with  
21 respect to attracting and retaining businesses and industries, and shall designate an  
22 adequate number of sites for such businesses and industries. The statement shall  
23 also evaluate, and promote the use of environmentally contaminated sites for  
24 commercial or industrial uses. The statement shall also identify county, regional and  
25 state economic development programs that apply to the local governmental unit.



1           (g) *Intergovernmental cooperation element.* A map and a statement of  
2 objectives, policies, goals and programs for joint planning and decision making with  
3 other jurisdictions, including school districts and adjacent local governmental units,  
4 for siting and building public facilities and sharing public services. The statement  
5 shall analyze the relationship of the local governmental unit to school districts and  
6 adjacent local governmental units, and to the region, the state and other  
7 governmental units. The statement shall incorporate any plans or agreements to  
8 which the local governmental unit is a party under s. 66.023, 66.30 or 66.945. The  
9 statement shall identify existing or potential conflicts between the local  
10 governmental unit and other governmental units that are specified in this  
11 paragraph and describe processes to resolve such conflicts.

12           (h) *Land-use element.* A map and a statement of objectives, policies, goals and  
13 programs to guide the future development and redevelopment of public and private  
14 property. The statement shall contain a listing of the amount, type, intensity and net  
15 density of existing uses of land in the local governmental unit, such as agricultural,  
16 residential, commercial, industrial and other public and private uses. The statement  
17 shall analyze trends in the supply, demand and price of land, opportunities for  
18 redevelopment and existing and potential land-use conflicts. The statement shall  
19 contain projections, based on the background information specified in par. (a), for 20  
20 years with detailed maps, in 5-year increments, of future residential, agricultural,  
21 commercial and industrial land uses including the assumptions of net densities or  
22 other spatial assumptions upon which the projections are based. The statement  
23 shall also include a series of maps that shows current land uses and future land uses  
24 that indicate productive agricultural soils, natural limitations for building site  
25 development, floodplains, wetlands and other environmentally sensitive lands, the

1 boundaries of areas to which services of public utilities and community facilities, as  
2 those terms are used in par. (d), will be provided in the future, consistent with the  
3 timetable described in par. (d), and the general location of future land uses by net  
4 density or other classifications.

5 (i) *Implementation element.* A statement of programs and specific actions to  
6 be completed in a stated sequence, including proposed changes to any applicable  
7 zoning ordinances, official maps, sign regulations, erosion and stormwater control  
8 ordinances, historic preservation ordinances, site plan regulations, design review  
9 ordinances, building codes, mechanical codes, housing codes, sanitary codes or  
10 subdivision ordinances, to implement the objectives, policies, plans and programs  
11 contained in pars. (a) to (h). The statement shall describe how each of the elements  
12 of the comprehensive plan will be integrated and made consistent with the other  
13 elements of the comprehensive plan, and shall include a mechanism to measure the  
14 local governmental unit's progress toward achieving all aspects of the  
15 comprehensive plan. The statement shall include a process for updating the  
16 comprehensive plan. A comprehensive plan under this subsection shall be updated  
17 no less than once every 10 years.

18 **\*-0030/1.106\* SECTION 1584.** 66.04 (1m) (a) of the statutes is amended to read:  
19 66.04 (1m) (a) No city, village or town, family care district under s. 46.2895 or  
20 agency or subdivision of a city, village or town may authorize funds for or pay to a  
21 physician or surgeon or a hospital, clinic or other medical facility for the performance  
22 of an abortion except those permitted under and which are performed in accordance  
23 with s. 20.927.

24 **\*-0030/1.107\* SECTION 1585.** 66.04 (1m) (b) of the statutes is amended to read:

1           66.04 (1m) (b) No city, village or town, family care district under s. 46.2895 or  
2           agency or subdivision of a city, village or town may authorize payment of funds for  
3           a grant, subsidy or other funding involving a pregnancy program, project or service  
4           if s. 20.9275 (2) applies to the pregnancy program, project or service.

5           \***-0063/2.4\*** **SECTION 1586.** 66.119 (1) (b) 7. c. of the statutes is amended to  
6           read:

7           66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does  
8           not appear in court, he or she either will be deemed to have tendered a plea of no  
9           contest and submitted to a forfeiture, a penalty assessment imposed by s. ~~165.87~~  
10          757.05, a jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law  
11          enforcement assessment imposed by s. 165.755, any applicable consumer  
12          information assessment imposed by s. 100.261 and any applicable domestic abuse  
13          assessment imposed by s. 973.055 (1) not to exceed the amount of the deposit or will  
14          be summoned into court to answer the complaint if the court does not accept the plea  
15          of no contest.

          \*\*\*NOTE: This is reconciled s. 66.119 (1) (b) 7. c. This SECTION has been affected  
by drafts with the following LRB numbers: 0063/1 and 1265/5.

16          \***-0063/2.5\*** **SECTION 1587.** 66.119 (1) (b) 7. d. of the statutes is amended to  
17          read:

18          66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and  
19          does not appear in court at the time specified, the court may issue a summons or a  
20          warrant for the defendant's arrest or consider the nonappearance to be a plea of no  
21          contest and enter judgment under sub. (3) (d), or the municipality may commence an  
22          action against the alleged violator to collect the forfeiture, the penalty assessment  
23          imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime

1 laboratories and drug law enforcement assessment imposed by s. 165.755, any  
2 applicable consumer information assessment imposed by s. 100.261 and any  
3 applicable domestic abuse assessment imposed by s. 973.055 (1).

\*\*\*\*NOTE: This is reconciled s. 66.119 (1) (b) 7. d. This SECTION has been affected by  
drafts with the following LRB numbers: 0063/1 and 1265/5.

4 **\*-0063/2.6\* SECTION 1588.** 66.119 (1) (c) of the statutes is amended to read:  
5 66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of  
6 cash deposits that are to be required for the various ordinance violations, and for the  
7 penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s.  
8 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by  
9 s. 165.755, any applicable consumer information assessment imposed by s. 100.261  
10 and any applicable domestic abuse assessment imposed by s. 973.055 (1), for which  
11 a citation may be issued. The ordinance shall also specify the court, clerk of court  
12 or other official to whom cash deposits are to be made and shall require that receipts  
13 be given for cash deposits.

\*\*\*\*NOTE: This is reconciled s. 66.119 (1) (c). This SECTION has been affected by  
drafts with the following LRB numbers: 0063/1 and 1265/5.

14 **\*-0063/2.7\* SECTION 1589.** 66.119 (3) (a) of the statutes is amended to read:  
15 66.119 (3) (a) The person named as the alleged violator in a citation may appear  
16 in court at the time specified in the citation or may mail or deliver personally a cash  
17 deposit in the amount, within the time and to the court, clerk of court or other official  
18 specified in the citation. If a person makes a cash deposit, the person may  
19 nevertheless appear in court at the time specified in the citation, provided that the  
20 cash deposit may be retained for application against any forfeiture, restitution,  
21 penalty assessment, jail assessment, crime laboratories and drug law enforcement

1 assessment ~~or, consumer information assessment or~~ domestic abuse assessment that  
2 may be imposed.

3 **\*-0063/2.8\* SECTION 1590.** 66.119 (3) (b) of the statutes is amended to read:

4 66.119 (3) (b) If a person appears in court in response to a citation, the citation  
5 may be used as the initial pleading, unless the court directs that a formal complaint  
6 be made, and the appearance confers personal jurisdiction over the person. The  
7 person may plead guilty, no contest or not guilty. If the person pleads guilty or no  
8 contest, the court shall accept the plea, enter a judgment of guilty and impose a  
9 forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment  
10 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement  
11 assessment imposed by s. 165.755, any applicable consumer information assessment  
12 imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s.  
13 973.055 (1). If the court finds that the violation meets the conditions in s. 800.093  
14 (1), the court may order restitution under s. 800.093. A plea of not guilty shall put  
15 all matters in the case at issue, and the matter shall be set for trial.

\*\*\*\*NOTE: This is reconciled s. 66.119 (3) (b). This SECTION has been affected by  
drafts with the following LRB numbers: 0063/1 and 1265/5.

16 **\*-0063/2.9\* SECTION 1591.** 66.119 (3) (c) of the statutes is amended to read:

17 66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear  
18 in court, the citation may serve as the initial pleading and the violator shall be  
19 considered to have tendered a plea of no contest and submitted to a forfeiture, the  
20 penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s.  
21 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by  
22 s. 165.755, any applicable consumer information assessment imposed by s. 100.261  
23 and any applicable domestic abuse assessment imposed by s. 973.055 (1) not

1 exceeding the amount of the deposit. The court may either accept the plea of no  
2 contest and enter judgment accordingly or reject the plea. If the court finds the  
3 violation meets the conditions in s. 800.093 (1), the court may summon the alleged  
4 violator into court to determine if restitution shall be ordered under s. 800.093. If  
5 the court accepts the plea of no contest, the defendant may move within 10 days after  
6 the date set for the appearance to withdraw the plea of no contest, open the judgment  
7 and enter a plea of not guilty if the defendant shows to the satisfaction of the court  
8 that the failure to appear was due to mistake, inadvertence, surprise or excusable  
9 neglect. If the plea of no contest is accepted and not subsequently changed to a plea  
10 of not guilty, no costs or fees may be taxed against the violator, but a penalty  
11 assessment, a jail assessment, a crime laboratories and drug law enforcement  
12 assessment and, if applicable, a consumer information assessment or a domestic  
13 abuse assessment shall be assessed. If the court rejects the plea of no contest, an  
14 action for collection of the forfeiture, penalty assessment, jail assessment, crime  
15 laboratories and drug law enforcement assessment, any applicable information  
16 assessment and any applicable domestic abuse assessment may be commenced. A  
17 city, village, town sanitary district or public inland lake protection and rehabilitation  
18 district may commence action under s. 66.12 (1) and a county or town may commence  
19 action under s. 778.10. The citation may be used as the complaint in the action for  
20 the collection of the forfeiture, penalty assessment, jail assessment, crime  
21 laboratories and drug law enforcement assessment, any applicable consumer  
22 information assessment and any applicable domestic abuse assessment.

\*\*\*NOTE: This is reconciled s. 66.119 (3) (c). This SECTION has been affected by  
drafts with the following LRB numbers: 0063/1 and 1265/5.

**\*-0063/2.10\* SECTION 1592.** 66.119 (3) (d) of the statutes is amended to read:

1           66.119 (3) (d) If the alleged violator does not make a cash deposit and fails to  
2 appear in court at the time specified in the citation, the court may issue a summons  
3 or warrant for the defendant's arrest or consider the nonappearance to be a plea of  
4 no contest and enter judgment accordingly if service was completed as provided  
5 under par. (e) or the county, town, city, village, town sanitary district or public inland  
6 lake protection and rehabilitation district may commence an action for collection of  
7 the forfeiture, penalty assessment, jail assessment and crime laboratories and drug  
8 law enforcement assessment, any applicable consumer information assessment and  
9 any applicable domestic abuse assessment. A city, village, town sanitary district or  
10 public inland lake protection and rehabilitation district may commence action under  
11 s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation  
12 may be used as the complaint in the action for the collection of the forfeiture, penalty  
13 assessment, jail assessment and crime laboratories and drug law enforcement  
14 assessment, any applicable consumer information assessment and any applicable  
15 domestic abuse assessment. If the court considers the nonappearance to be a plea  
16 of no contest and enters judgment accordingly, the court shall promptly mail a copy  
17 or notice of the judgment to the defendant. The judgment shall allow the defendant  
18 not less than 20 days from the date of the judgment to pay any forfeiture, penalty  
19 assessment, jail assessment and crime laboratories and drug law enforcement  
20 assessment, any applicable consumer information assessment and any applicable  
21 domestic abuse assessment imposed. If the defendant moves to open the judgment  
22 within 6 months after the court appearance date fixed in the citation, and shows to  
23 the satisfaction of the court that the failure to appear was due to mistake,  
24 inadvertence, surprise or excusable neglect, the court shall reopen the judgment,  
25 accept a not guilty plea and set a trial date.

## SECTION 1593

1           \***-0063/2.11\*** SECTION 1593. 66.12 (1) (b) of the statutes is amended to read:

2           66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss.  
3           345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any  
4           or all violations under those ordinances, and may designate the manner in which the  
5           stipulation is to be made and fix the penalty to be paid. When a person charged with  
6           a violation for which stipulation of guilt or no contest is authorized makes a timely  
7           stipulation and pays the required penalty and pays the penalty assessment imposed  
8           by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime  
9           laboratories and drug law enforcement assessment imposed by s. 165.755, any  
10          applicable consumer information assessment imposed by s. 100.261 and any  
11          applicable domestic abuse assessment imposed by s. 973.055 (1) to the designated  
12          official, the person need not appear in court and no witness fees or other additional  
13          costs may be taxed unless the local ordinance so provides. A court appearance is  
14          required for a violation of a local ordinance in conformity with s. 346.63 (1). The  
15          official receiving the penalties shall remit all moneys collected to the treasurer of the  
16          city, village, town sanitary district or public inland lake protection and rehabilitation  
17          district in whose behalf the sum was paid, except that all jail assessments shall be  
18          remitted to the county treasurer, within 20 days after its receipt by him or her; and  
19          in case of any failure in the payment, the treasurer may collect the payment of the  
20          officer by action, in the name of the office, and upon the official bond of the officer,  
21          with interest at the rate of 12% per year from the time when it should have been paid.  
22          In the case of the penalty assessment imposed by s. ~~165.87~~ 757.05, the crime  
23          laboratories and drug law enforcement assessment imposed by s. 165.755, the driver  
24          improvement surcharge imposed by s. 346.655 (1), any applicable consumer  
25          information assessment imposed by s. 100.261 and any applicable domestic abuse



1 assessment imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary  
2 district or public inland lake protection and rehabilitation district shall remit to the  
3 state treasurer the sum required by law to be paid on the actions so entered during  
4 the preceding month on or before the first day of the next succeeding month. The  
5 governing body of the city, village, town sanitary district or public inland lake  
6 protection and rehabilitation district shall by ordinance designate the official to  
7 receive the penalties and the terms under which the official shall qualify.

\*\*\*NOTE: This is reconciled s. 66.12(1)(b). This SECTION has been affected by drafts  
with the following LRB numbers: 0063/1 and 1265/5.

8       **\*-1265/7.20\* SECTION 1594.** 66.12 (3) (b) of the statutes is amended to read:  
9       66.12 (3) (b) All forfeitures and penalties recovered for the violation of any  
10 ordinance or bylaw of any city, village, town, town sanitary district or public inland  
11 lake protection and rehabilitation district shall be paid into the city, village, town,  
12 town sanitary district or public inland lake protection and rehabilitation district  
13 treasury for the use of the city, village, town, town sanitary district or public inland  
14 lake protection and rehabilitation district, except as otherwise provided in par. (c),  
15 sub. (1) (b) and s. ~~165.87~~ 757.05. The judge shall report and pay into the treasury,  
16 quarterly, or at more frequent intervals if so required, all moneys collected belonging  
17 to the city, village, town, town sanitary district or public inland lake protection and  
18 rehabilitation district, which report shall be certified and filed in the office of the  
19 treasurer; and the judge shall be entitled to duplicate receipts for such moneys, one  
20 of which he or she shall file with the city, village or town clerk or with the town  
21 sanitary district or the public inland lake protection and rehabilitation district.  
22       **\*-1085/4.4\* SECTION 1595.** 66.285 (4) (f) of the statutes is created to read:

1           66.285 (4) (f) The failure to pay timely due to an occurrence to which s. 893.83  
2 applies.

3           \***-1618/2.4\* SECTION 1596.** 66.299 (3) (a) 1. of the statutes is amended to read:  
4           66.299 (3) (a) 1. A local governmental unit shall, to the extent practicable, make  
5 purchasing selections using specifications developed by state agencies under s. 16.72  
6 (2)(e) to maximize the purchase of products utilizing recycled or recovered materials.

7           \***-1618/2.5\* SECTION 1597.** 66.299 (4) of the statutes is amended to read:  
8           66.299 (4) PURCHASE OF RECYCLABLE MATERIALS. A local governmental unit shall,  
9 to the extent practicable, make purchasing selections using specifications prepared  
10 by state agencies under s. 16.72 (2) (f).

11           \***-0030/1.108\* SECTION 1598.** 66.30 (1) (a) of the statutes is amended to read:  
12           66.30 (1) (a) In this section “municipality” means the state or any department  
13 or agency thereof, or any city, village, town, county, school district, public library  
14 system, public inland lake protection and rehabilitation district, sanitary district,  
15 farm drainage district, metropolitan sewerage district, sewer utility district, solid  
16 waste management system created under s. 59.70 (2), local exposition district  
17 created under subch. II of ch. 229, local professional baseball park district created  
18 under subch. III of ch. 229, family care district under s. 46.2895, water utility district,  
19 mosquito control district, municipal electric company, county or city transit  
20 commission, commission created by contract under this section, taxation district or  
21 regional planning commission.

22           \***-1006/P2.1\* SECTION 1599.** 66.43 (3) (a) of the statutes is amended to read:  
23           66.43 (3) (a) “Blighted area” means any area, including a slum area, in which  
24 a majority of the structures are residential or in which there is a predominance of  
25 buildings or improvements, whether residential or nonresidential, and which, by

1 reason of dilapidation, deterioration, age or obsolescence, inadequate provision for  
2 ventilation, light, air, sanitation, or open spaces, high density of population and  
3 overcrowding, environmental pollution or the existence of conditions which  
4 endanger life or property by fire and other causes, or any combination of such factors,  
5 is conducive to ill health, transmission of disease, infant mortality, juvenile  
6 delinquency and crime, and is detrimental to the public health, safety, morals or  
7 welfare.

8 **\*-1006/P2.2\* SECTION 1600.** 66.43 (3) (be) of the statutes is created to read:  
9 66.43 (3) (be) "Environmental pollution" has the meaning given in s. 299.01 (4).

10 **\*-1006/P2.3\* SECTION 1601.** 66.431 (2m) (b) 1. of the statutes is amended to  
11 read:

12 66.431 (2m) (b) 1. An area, including a slum area, in which there is a  
13 predominance of buildings or improvements, whether residential or nonresidential,  
14 which by reason of dilapidation, deterioration, age or obsolescence, inadequate  
15 provision for ventilation, light, air, sanitation, or open spaces, high density of  
16 population and overcrowding, environmental pollution or the existence of conditions  
17 which endanger life or property by fire and other causes, or any combination of such  
18 factors is conducive to ill health, transmission of disease, infant mortality, juvenile  
19 delinquency, or crime, and is detrimental to the public health, safety, morals or  
20 welfare.

21 **\*-1006/P2.4\* SECTION 1602.** 66.431 (2m) (b) 2. of the statutes is amended to  
22 read:

23 66.431 (2m) (b) 2. An area which by reason of the presence of a substantial  
24 number of substandard, slum, deteriorated or deteriorating structures,  
25 predominance of defective or inadequate street layout, faulty lot layout in relation

1 to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions,  
2 deterioration of site or other improvements, diversity of ownership, tax or special  
3 assessment delinquency exceeding the fair value of the land, defective or unusual  
4 conditions of title, environmental pollution or the existence of conditions which  
5 endanger life or property by fire and other causes, or any combination of such factors,  
6 substantially impairs or arrests the sound growth of a city, retards the provision of  
7 housing accommodations or constitutes an economic or social liability and is a  
8 menace to the public health, safety, morals, or welfare in its present condition and  
9 use.

10 **\*-1006/P2.5\* SECTION 1603.** 66.431 (2m) (b) 3. of the statutes is amended to  
11 read:

12 66.431 (2m) (b) 3. An area which is predominantly open and which because of  
13 obsolete platting, diversity of ownership, deterioration of structures or of site  
14 improvements, environmental pollution or otherwise, substantially impairs or  
15 arrests the sound growth of the community.

16 **\*-1006/P2.6\* SECTION 1604.** 66.431 (2m) (bm) of the statutes is amended to  
17 read:

18 66.431 (2m) (bm) "Blighted property" means any property within a city,  
19 whether residential or nonresidential, which by reason of dilapidation,  
20 deterioration, age or obsolescence, inadequate provisions for ventilation, light, air or  
21 sanitation, high density of population and overcrowding, or the existence of  
22 conditions which endanger life or property by fire and other causes, or any  
23 combination of such factors, is conducive to ill health, transmission of disease, infant  
24 mortality, juvenile delinquency or crime, and is detrimental to the public health,  
25 safety, morals or welfare, or any property which by reason of faulty lot layout in

1 relation to size, adequacy, accessibility or usefulness, insanitary or unsafe  
2 conditions, deterioration of site or other improvements, diversity of ownership, tax  
3 or special assessment delinquency exceeding the fair market value of the land,  
4 defective or unusual conditions of title, environmental pollution or the existence of  
5 conditions which endanger life or property by fire and other causes, or any  
6 combination of such factors, substantially impairs or arrests the sound growth of a  
7 city, retards the provisions of housing accommodations or constitutes an economic or  
8 social liability and is a menace to the public health, safety, morals or welfare in its  
9 present condition and use, or any property which is predominantly open and which  
10 because of obsolete platting, diversity of ownership, deterioration of structures or of  
11 site improvements, environmental pollution or otherwise, substantially impairs or  
12 arrests the sound growth of the community.

13 **\*-1006/P2.7\* SECTION 1605.** 66.431 (2m) (fe) of the statutes is created to read:

14 66.431 (2m) (fe) "Environmental pollution" has the meaning given in s. 299.01

15 (4).

16 **\*-1006/P2.8\* SECTION 1606.** 66.46 (2) (a) 1. a. of the statutes is amended to  
17 read:

18 66.46 (2) (a) 1. a. An area, including a slum area, in which the structures,  
19 buildings or improvements, which by reason of dilapidation, deterioration, age or  
20 obsolescence, inadequate provision for ventilation, light, air, sanitation, or open  
21 spaces, high density of population and overcrowding, environmental pollution or the  
22 existence of conditions which endanger life or property by fire and other causes, or  
23 any combination of these factors is conducive to ill health, transmission of disease,  
24 infant mortality, juvenile delinquency, or crime, and is detrimental to the public  
25 health, safety, morals or welfare.

1           **\*-1006/P2.9\* SECTION 1607.** 66.46 (2) (a) 1. b. of the statutes is amended to  
2 read:

3           66.46 (2) (a) 1. b. An area which is predominantly open and which consists  
4 primarily of an abandoned highway corridor, as defined in s. 66.431 (2m) (a), or that  
5 consists of land upon which buildings or structures have been demolished and which  
6 because of obsolete platting, diversity of ownership, deterioration of structures or of  
7 site improvements, environmental pollution or otherwise, substantially impairs or  
8 arrests the sound growth of the community.

9           **\*-0424/1.6\* SECTION 1608.** 66.46 (13) of the statutes is amended to read:

10          66.46 (13) REPORT ON EFFECTS AND IMPACT OF TAX INCREMENTAL FINANCING. The  
11 department of ~~commerce~~ revenue, in cooperation with other state agencies and local  
12 governments, shall make a comprehensive report to the ~~governor and the chief clerk~~  
13 ~~of each house of the legislature, for distribution to the legislature under s. 13.172 (2)~~  
14 and to the governor, at the beginning of each biennium, beginning with the ~~1977~~  
15 2001-03 biennium, as to the effects and impact of tax incremental financing projects  
16 socially, economically and financially.

17          **\*-1007/P9.1\* SECTION 1609.** 66.462 (1) (c) of the statutes is amended to read:

18          66.462 (1) (c) “Eligible costs” means capital costs, financing costs and  
19 administrative and professional service costs for the investigation, removal,  
20 containment or monitoring of, or the restoration of soil, air, surface water, sediments  
21 or groundwater affected by, environmental pollution, including monitoring costs  
22 incurred within 2 years after the date on which the department of natural resources  
23 certifies that environmental pollution on the property has been remediated, property  
24 acquisition costs, demolition costs including asbestos removal, and removing and  
25 disposing of abandoned containers, as defined in s. 292.41 (1), except that for any

1 parcel of land “eligible costs” shall be reduced by any amounts received from persons  
2 responsible for the discharge, as defined in s. 292.01 (3), of a hazardous substance  
3 on the property to pay for the costs of remediating environmental pollution on the  
4 property, by any amounts received, or reasonably expected by the political  
5 subdivision to be received, from a local, state or federal program for the remediation  
6 of contamination in the district that do not require reimbursement or repayment and  
7 by the amount of net gain from the sale of the property by the political subdivision.

8 \***-1007/P9.2\* SECTION 1610.** 66.462 (1) (i) of the statutes is amended to read:

9 66.462 (1) (i) “Period of certification” means a period of not more than ~~16~~ 23  
10 years beginning after the department certifies the environmental remediation tax  
11 incremental base of a parcel of property under sub. (4) or a period before all eligible  
12 costs have been paid, whichever occurs first.

13 \***-1007/P9.3\* SECTION 1611.** 66.462 (2) of the statutes is amended to read:

14 66.462 (2) USE OF ENVIRONMENTAL REMEDIATION TAX INCREMENTS. A political  
15 subdivision that develops, and whose governing body approves, a written proposal  
16 to remediate environmental pollution ~~on property owned by the political subdivision~~  
17 may use an environmental remediation tax increment to pay the eligible costs of  
18 remediating environmental pollution on contiguous parcels of property that is are  
19 not part of a tax incremental district created under s. 66.46 and that is owned by the  
20 political subdivision at the time of the remediation and then transferred to another  
21 person after the property is remediated, as provided in this section, except that a  
22 political subdivision may use an environmental remediation tax increment to pay  
23 the cost of remediating environmental pollution of groundwater without regard to  
24 whether the property above the groundwater is owned by the political subdivision.

25 No political subdivision may submit an application to the department under sub. (4)

## SECTION 1611

1 until the joint review board approves the political subdivision's written proposal  
2 under sub. (3).

3 **\*-0772/P1.1\* SECTION 1612.** 66.462 (3) (a) of the statutes is amended to read:

4 66.462 (3) (a) Any political subdivision that seeks to use an environmental  
5 remediation tax increment under sub. (2) shall convene a joint review board to review  
6 the proposal. The board shall consist of one representative chosen by the school  
7 district that has power to levy taxes on the property that is remediated, one  
8 representative chosen by the technical college district that has power to levy taxes  
9 on the property, one representative chosen by the county that has power to levy taxes  
10 on the property that is remediated, one representative chosen by the political  
11 subdivision city, village or town that has power to levy taxes on the property that is  
12 remediated and one public member. If more than one city, village or town, more than  
13 one school district, more than one technical college district or more than one county  
14 has the power to levy taxes on the property that is remediated, the unit in which is  
15 located property that has the greatest value shall choose that representative to the  
16 board. The public member and the board's chairperson shall be selected by a majority  
17 of the other board members at the board's first meeting. All board members shall be  
18 appointed and the first board meeting held within 14 days after the political  
19 subdivision's governing body approves the written proposal under sub. (2).  
20 Additional meetings of the board shall be held upon the call of any member. The  
21 political subdivision that seeks to act under sub. (2) shall provide administrative  
22 support for the board. By majority vote, the board may disband following approval  
23 or rejection of the proposal.

24 **\*-1007/P9.4\* SECTION 1613.** 66.462 (4) (a) of the statutes is amended to read:



1           66.462 (4) (a) The political subdivision submits a statement that it has incurred  
2           some eligible costs, and includes with the statement a detailed proposed remedial  
3           action plan that contains cost estimates for anticipated eligible costs, with respect  
4           to the parcel or contiguous parcels of property and the statement details the purpose  
5           and amount of the expenditures already made and includes a dated certificate issued  
6           by the department of natural resources that certifies that ~~environmental pollution~~  
7           ~~on the parcel of property has been remediated~~ the department of natural resources  
8           has approved the site investigation report that relates to the parcel or contiguous  
9           parcels in accordance with rules promulgated by the department of natural  
10          resources.

11           **\*-1193/2.4\* SECTION 1614.** 66.504 (2) of the statutes is amended to read:

12           66.504 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint  
13          contract with a nonprofit corporation organized for civic purposes and located in the  
14          municipality to construct or otherwise acquire, equip, furnish, operate and maintain  
15          a facility to be used for municipal and civic activities if a majority of the voters voting  
16          in a referendum authorize the municipality to enter into the joint contract. The  
17          referendum shall be held at a special election or at a spring primary or election or  
18          September primary or general election ~~approve the question of entering into the joint~~  
19          ~~contract~~ or, if the municipality is a school district, at the next spring election or  
20          general election to be held not earlier than 45 days after submittal of the issue or at  
21          a special election held on the Tuesday after the first Monday in November in an  
22          odd-numbered year if that date occurs not earlier than 45 days after submittal of the  
23          issue.

24           **\*-0570/P2.1\* SECTION 1615.** 66.521 (10) (g) of the statutes is repealed.

25           **\*-0935/2.12\* SECTION 1616.** 66.88 (11) of the statutes is amended to read:

## SECTION 1616

1           66.88 (11) "Sewerage system" means all facilities of the district for collection,  
2           transportation, storage, pumping, treatment and final disposition of sewage.  
3           "Sewerage system" does not include any ~~private~~ small sewage system, as defined in  
4           s. 145.01 ~~(12)~~ (14m), or any local sewer.

5           **\*-0935/2.13\* SECTION 1617.** 66.888 (1) (c) 3. a. of the statutes is amended to  
6           read:

7           66.888 (1) (c) 3. a. The weight to be given to the need for ~~private~~ small sewage  
8           systems, as defined in s. 145.01 ~~(12)~~ (14m), to maintain the public health and welfare  
9           in any area located within the district prior to a redefinition of the boundary but  
10          located outside the district after any redefinition of the boundary.

11          **\*-0866/P4.1\* SECTION 1618.** 66.945 (2) (d) of the statutes is created to read:  
12          66.945 (2) (d) No regional planning commission that consists of only one county  
13          may be created under this subsection after December 31, 2001.

14          **\*-0866/P4.2\* SECTION 1619.** 66.945 (3) (b) (intro.) of the statutes is amended  
15          to read:

16          66.945 (3) (b) (intro.) ~~For~~ Except as provided in par. (bm), for any region which  
17          does not include a city of the first class, the membership composition of a regional  
18          planning commission shall be in accordance with resolutions approved by the  
19          governing bodies of a majority of the local units in the region, and these units shall  
20          have in the aggregate at least half the population of the region. For the purposes of  
21          this determination a county, part or all of which is within the region, shall be counted  
22          as a local unit, but the population of an approving county shall not be counted. In  
23          the absence of the necessary approval by the local units, the membership  
24          composition of a commission shall be determined as follows:

25          **\*-0866/P4.3\* SECTION 1620.** 66.945 (3) (bm) of the statutes is created to read:

1           66.945 (3) (bm) The membership composition of a regional planning  
2           commission that includes a county that contains a 2nd class city and that is created  
3           after December 31, 2001, shall be as provided in par. (a).

4           **\*-1256/P4.6\* SECTION 1621.** 66.945 (8) (a) of the statutes is amended to read:

5           66.945 (8) (a) The regional planning commission may conduct all types of  
6           research studies, collect and analyze data, prepare maps, charts and tables, and  
7           conduct all necessary studies for the accomplishment of its other duties; it may,  
8           consistent with the elements specified in s. 66.0295, make plans for the physical,  
9           social and economic development of the region, and may, consistent with the  
10          elements specified in s. 66.0295, adopt by resolution any plan or the portion of any  
11          plan so prepared as its official recommendation for the development of the region; it  
12          may publicize and advertise its purposes, objectives and findings, and may distribute  
13          reports thereon; it may provide advisory services on regional planning problems to  
14          the local government units within the region and to other public and private agencies  
15          in matters relative to its functions and objectives, and may act as a coordinating  
16          agency for programs and activities of such local units and agencies as they relate to  
17          its objectives. All public officials shall, upon request, furnish to the regional planning  
18          commission, within a reasonable time, such available information as it requires for  
19          its work. In general, the regional planning commission shall have all powers  
20          necessary to enable it to perform its functions and promote regional planning. The  
21          functions of the regional planning commission shall be solely advisory to the local  
22          governments and local government officials comprising the region.

23          **\*-1256/P4.7\* SECTION 1622.** 66.945 (9) of the statutes is amended to read:

24          66.945 (9) PREPARATION OF MASTER PLAN FOR REGION. The regional planning  
25          commission shall have the function and duty of making and adopting a master plan

1 for the physical development of the region. The master plan, with the accompanying  
2 maps, plats, charts, programs and descriptive and explanatory matter, shall show  
3 the commission's recommendations for such physical development and ~~may include,~~  
4 ~~among other things without limitation because of enumeration, the general location,~~  
5 ~~character and extent of main traffic arteries, bridges and viaducts; public places and~~  
6 ~~areas; parks; parkways; recreational areas; sites for public buildings and structures;~~  
7 ~~airports; waterways; routes for public transit; and the general location and extent~~  
8 ~~of main and interceptor sewers, water conduits and other public utilities whether~~  
9 ~~privately or publicly owned; areas for industrial, commercial, residential,~~  
10 ~~agricultural or recreational development~~ shall contain at least the elements  
11 described in s. 66.0295. The regional planning commission may amend, extend or  
12 add to the master plan or carry any part or subject matter into greater detail.

13 **\*-1256/P4.8\* SECTION 1623.** 66.945 (10) of the statutes is amended to read:

14 66.945 (10) ADOPTION OF MASTER PLAN FOR REGION. The master plan shall be  
15 made with the general purpose of guiding and accomplishing a coordinated, adjusted  
16 and harmonious development of the region which will, in accordance with existing  
17 and future needs, best promote public health, safety, morals, order, convenience,  
18 prosperity or the general welfare, as well as efficiency and economy in the process  
19 of development. The regional planning commission may adopt the master plan as  
20 a whole by a single resolution, or, as the work of making the whole master plan  
21 progresses, may by resolution adopt a part or parts thereof, any such part to  
22 correspond ~~generally with one or more of the functional subdivisions of the subject~~  
23 ~~matter of the plan~~ elements specified in s. 66.0295. The resolution shall refer  
24 expressly to the maps, plats, charts, programs and descriptive and explanatory  
25 matter, and other matters intended by the regional planning commission to form the

1 whole or any part of the plan, and the action taken shall be recorded on the adopted  
2 plan or part thereof by the identifying signature of the chairperson of the regional  
3 planning commission and a copy of the plan or part thereof shall be certified to the  
4 legislative bodies of the local governmental units within the region. The purpose and  
5 effect of adoption of the master plan shall be solely to aid the regional planning  
6 commission and the local governments and local government officials comprising the  
7 region in the performance of their functions and duties.

8 **\*-0282/3.1\* SECTION 1624.** 67.04 (5) (b) 2. of the statutes is repealed.

9 **\*-1193/2.5\* SECTION 1625.** 67.05 (6a) (a) 2. a. of the statutes is amended to  
10 read:

11 67.05 (6a) (a) 2. a. Direct the school district clerk to call a ~~special election~~  
12 referendum for the purpose of submitting the resolution to the electors for approval  
13 or rejection, ~~or direct that the resolution be submitted~~ at the next ~~regularly~~  
14 ~~scheduled primary or spring election or general election~~ to be held not earlier than  
15 45 days after the adoption of the resolution or at a special election held on the  
16 Tuesday after the first Monday in November in an odd-numbered year if that date  
17 occurs not earlier than 45 days after the adoption of the resolution. The resolution  
18 shall not be effective unless adopted by a majority of the school district electors voting  
19 at the referendum.

20 **\*-0282/3.2\* SECTION 1626.** 67.12 (12) (a) of the statutes is amended to read:

21 67.12 (12) (a) Any municipality may issue promissory notes as evidence of  
22 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not  
23 limited to paying any general and current municipal expense, and refunding any  
24 municipal obligations, including interest on them. Each note, plus interest if any,  
25 shall be repaid within 10 years after the original date of the note, except that notes

**SECTION 1626**

1 issued under this section for purposes of ss. 145.245 (12m), 281.58 and, 281.59,  
2 281.60 and 281.61, or to raise funds to pay a portion of the capital costs of a  
3 metropolitan sewerage district, shall be repaid within 20 years after the original date  
4 of the note.

\*\*\*\*NOTE: This is reconciled s. 67.12 (12) (a). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-0282 and LRB-1856.

5 **\*-0030/1.109\* SECTION 1627.** 69.30 (1) (am) of the statutes is created to read:

6 69.30 (1) (am) "Family care district" has the meaning given in s. 46.2805 (5).

7 **\*-0030/1.110\* SECTION 1628.** 69.30 (2) of the statutes is amended to read:

8 69.30 (2) A financial institution, state agency, county department, Wisconsin  
9 works agency ~~or~~, service office or family care district or an employee of a financial  
10 institution, state agency, county department, Wisconsin works agency ~~or~~, service  
11 office or family care district is not subject to s. 69.24 (1) (a) for copying a certified copy  
12 of a vital record for use by the financial institution, state agency, county department,  
13 Wisconsin works agency ~~or~~, service office or family care district, including use under  
14 s. 45.36 (4m), if the copy is marked "FOR ADMINISTRATIVE USE".

15 **\*-0030/1.111\* SECTION 1629.** 70.11 (2) of the statutes is amended to read:

16 70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.  
17 Property owned by any county, city, village, town, school district, technical college  
18 district, public inland lake protection and rehabilitation district, metropolitan  
19 sewerage district, municipal water district created under s. 198.22, joint local water  
20 authority created under s. 66.0735, family care district under s. 46.2895 or town  
21 sanitary district; lands belonging to cities of any other state used for public parks;  
22 land tax-deeded to any county or city before January 2; but any residence located  
23 upon property owned by the county for park purposes which is rented out by the

1 county for a nonpark purpose shall not be exempt from taxation. Except as to land  
2 acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after  
3 August 17, 1961, to any such governmental unit or for its benefit while the grantor  
4 or others for his or her benefit are permitted to occupy the land or part thereof in  
5 consideration for the conveyance. Leasing the property exempt under this  
6 subsection, regardless of the lessee and the use of the leasehold income, does not  
7 render that property taxable.

8 **\*-1220/2.1\* SECTION 1630.** 70.11 (35) of the statutes is amended to read:

9 70.11 (35) CULTURAL AND ARCHITECTURAL LANDMARKS. Property described in s.  
10 234.935 (1), 1997 stats.

11 **\*-0756/2.1\* SECTION 1631.** 70.11 (40) of the statutes is created to read:

12 70.11 (40) COMPUTERIZED EQUIPMENT. Fax machines, copiers, cash registers and  
13 automated teller machines.

14 **\*-0192/1.6\* SECTION 1632.** 70.114 (1) (c) of the statutes is amended to read:

15 70.114 (1) (c) "Land" means state forests, as defined in s. 28.02 (1), that are  
16 acquired after December 31, 1991, state parks that are acquired after  
17 December 31, 1991, under s. 27.01 and other areas that are acquired after  
18 December 31, 1991, under s. 23.09 (2) (d), 23.091, 23.0912, 23.27, 23.29, 23.293,  
19 23.31 or 29.749 (1).

20 **\*-0770/3.1\* SECTION 1633.** 70.36 (1m) of the statutes is amended to read:

21 70.36 (1m) Any person, firm or corporation that fails to include information on  
22 property that is exempt under s. 70.11 (39) on the report under s. 70.35 shall forfeit  
23 \$10 for every \$100 \$1,000 or major fraction thereof that is not reported.

24 **\*-2023/1.2\* SECTION 1634.** 70.64 (1) (title) of the statutes is amended to read:

25 70.64 (1) (title) BY ~~TAX APPEALS COMMISSION~~ THE DEPARTMENT